

By Mr. BURTON of Delaware: Petition of the Legion of the Red Cross, Grand Council of Delaware, against the bill to codify the statutes relating to the classification of second-class mail matter (bill H. R. 608)—to the Committee on the Post-Office and Post-Roads.

By Mr. DAWSON: Petition of the Iowa State Retail Merchants' Association, for the Dixon bill (H. R. 3090), etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petition of the Wisconsin Retail Lumber Dealers' Association, for reciprocal demurrage by railways—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of the Trades League of Philadelphia, for bill S. 6923, for reduction of first-class postage—to the Committee on the Post-Office and Post-Roads.

By Mr. FRENCH: Petition of the Pocatello Commercial Club, of Idaho, for bill carrying an appropriation for the reclamation of lands of Fort Hill Indian Reservation and lands south of the same—to the Committee on the Public Lands.

Also, papers to be filed with bill H. R. 24325—to the Committee on the Post-Office and Post-Roads.

By Mr. GOULDEN: Petition of Max J. Levy, of New York City, against any legislation to deprive once naturalized citizens of the United States of citizenship after they may have lived abroad for five years (H. R. 24122)—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of H. Klingensmith, of Pittsburg, Pa., representing 400 railway telegraph operators, for the Murphy nine-hour-day bill—to the Committee on Labor.

Also, petition of P. H. McKenna, for an appropriation to test the value of the electric signagraph as a railway safety device—to the Committee on Interstate and Foreign Commerce.

By Mr. HEFLIN: Paper to accompany bill for relief of William N. Gladney—to the Committee on Claims.

By Mr. JENKINS: Petition of 55 citizens of Pierce County, Wis., to amend the free-alcohol bill—to the Committee on Ways and Means.

By Mr. McNARY: Petitions of W. J. Cassidy, president of the Leitrim County Club, and C. F. Forrester, president of the County Dublin Association, of Boston, Mass., favoring bill H. R. 21511—to the Committee on Claims.

Also, petition of Jeremiah J. Carroll, David J. Moynihan, Lawrence H. Sullivan, and other citizens of Boston, in aid of bill for relief of Joseph Manning (H. R. 2151)—to the Committee on Claims.

By Mr. NEEDHAM: Petition of F. G. Baker, for such legislation as shall secure an intelligent understanding of the shipping articles of seamen on whaling vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. RUPPERT: Petition of the Trades League of Philadelphia, Pa., for the Penrose bill (S. 6923)—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Petition of the Trades League of Philadelphia, Pa., for bill S. 6923 (reduction of first-class postage)—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: Petitions of Oriskany Falls Legion, No. 170; Lafargeville Legion, No. 1590, and East Utica Legion, No. 769, against the bill to amend and codify the statutes relating to the classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of the Trades League of Philadelphia, for bill S. 6923, as a first step for adoption of a 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of Linn S. Judd and other citizens of New York City, for passage of the Appalachian and White Mountain forest-reserve bill—to the Committee on Agriculture.

By Mr. WADSWORTH: Petitions of members of the Presbyterian Church of Geneseo and citizens of Genesee County, N. Y., for the Littlefield bill—to the Committee on the Judiciary.

By Mr. WEEKS: Petition of Winslow Brothers & Smith, of Norwood, Mass., for amendment to the free-alcohol bill—to the Committee on Ways and Means.

By Mr. WEISSE: Paper to accompany bill (S. 7238) for relief of Dr. James Carroll—to the Committee on Military Affairs.

Also, petition of the United Commercial Travelers of America, for the Sherman mileage rate bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Goethe Lodge, No. 112, Independent Order of Odd Fellows, of Fond du Lac, Wis., against the Littlefield bill—to the Committee on the Judiciary.

By Mr. WOOD: Petition of Delaware Tribe, No. 184, Improved Order of Red Men, of Trenton, N. J.; Assanpink Lodge, No. 16, Improved Order of Red Men, and the Ludentafel Singing Society, against bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

SENATE.

FRIDAY, March 1, 1907.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

BOOKKEEPING IN TREASURY DEPARTMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, requesting that an appropriation of \$7,000 be made to provide for a change in the methods of bookkeeping in the Treasury Department; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN AND FREEDMEN ENROLLMENT CASES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 28th ultimo, a statement with respect to the number of Indian and freedmen enrollment cases pending before the Commissioner to the Five Civilized Tribes, the Commissioner of Indian Affairs on review from said Commissioner, and the office of the Secretary on review February 25, 1907, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

SCHEDULE OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, a schedule of all claims allowed by the accounting officers of the Treasury under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

JUDGMENT BY CIRCUIT COURT OF ALABAMA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, the record of a judgment rendered against the United States by the circuit court of the United States for the middle district of Alabama under the act of March 3, 1887, as submitted by the Attorney-General, \$247.86; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

LISTS OF JUDGMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, lists of judgments rendered by the Court of Claims, amounting to \$201,044.68, which have not been heretofore presented to Congress; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN DEPREDAATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases, amounting to \$55,209, as submitted by the Attorney-General; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 4964. An act for the relief of Thomas F. Walter;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general, and to place him on the retired list of the Army;

S. 5660. An act for the relief of Capt. William N. Hughes;

S. 5869. An act for the relief of Larvan Gordon;

S. 6134. An act providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society;

S. 6729. An act authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service;

S. 7550. An act for the relief of Harry A. Young;

S. 8427. An act to annul certain titles to land acquired by ju-

dicial proceedings in the courts of the United States in Texas, and for other purposes; and

S. R. 92. Joint resolution to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point.

The message also announced that the House had passed the bill (S. 8580) granting land to Anna Johnson, with an amendment; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWSON, Mr. BATES, and Mr. GREGG managers at the conference on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 15909. An act to reward the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Mcade*; and

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906.

The message further announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return the bill (S. 6078) granting an increase of pension to Elijah B. Hudson.

The message also announced that the House had agreed to all of the amendments of the Senate to the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska; disagrees to amendment No. 9 to the bill; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. BURNETT managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 17013. An act for the relief of Charles A. Going.

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 22543. An act granting to the town of Pawnee, in Pawnee County, Okla., certain lands for park, educational, and other public purposes;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugott F. Keller as second lieutenants in the United States Army;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;

H. R. 24945. An act for the relief of M. I. Gallups, R. S. Smith, W. N. Gill, J. A. Weaver, I. S. Cadenhead, Davis Gillenwaters, and John McLemore;

H. R. 25437. An act to grant American registry to the German bark *Mariechen*;

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, or with Indian tribes, and to protect the same;"

H. R. 25801. An act granting an honorable discharge to Seth Davis;

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals; and

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general and to place him on the retired list of the Army;

S. 6498. An act to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 12, 1904;

S. 7994. An act authorizing the State of North Dakota to select other lands in lieu of lands erroneously entered in sections 16 and 36 within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State;

S. 8063. An act to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906;

S. 8128. An act granting to the St. Johns Light and Power Company a right of way for street railroad purposes through the United States military reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city;

S. 8377. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906;

S. 8535. An act for the relief of certain white persons who intermarried with Cherokee citizens;

H. R. 5. An act to provide for the refunding of certain money, etc.;

H. R. 8. An act for the relief of the Harbison-Walker Company, of Pittsburg, Pa.;

H. R. 3462. An act for the relief of Franklin Patterson;

H. R. 4629. An act for the relief of William H. Gowdy;

H. R. 7153. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Georgia, January 29, 1904;

H. R. 8080. An act for the relief of S. Kate Fisher;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 9767. An act granting a pension to William J. Crane;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury in certain contingencies to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 12840. An act for the relief of L. Biertempe;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 15320. An act to remove charge of desertion standing against Peter Parsch;

H. R. 15434. An act to regulate appeals in criminal prosecutions;

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 21721. An act granting a pension to John R. Kissinger;

H. R. 21857. An act to correct the military record of Jacob Rockwell;

H. R. 21944. An act relating to the entry and disposition of certain lands in the State of Nebraska;

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 23551. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1908;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 24022. An act to correct the military record of Morris H. Walker;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric power plants in the State of Colorado;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 24390. An act to correct the military record of Charles H. Kellen;

H. R. 24537. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 24987. An act to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 25005. An act granting an increase of pension to Emeline H. Hardie;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 25184. An act to relieve the Tanana Mines Railroad, in Alaska, from taxation;

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25440. An act granting an increase of pension to Catharine Lipes;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 25671. An act to authorize the construction of a bridge across the Grand Calumet River, State of Illinois;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25758. An act amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals; and

H. R. 25795. An act to authorize the Pensacola and North-eastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Moyer-Haywood-Pettibone Protest Conference of Hudson County, of Jersey City, N. J., praying for an investigation into the impris-

onment of Moyer, Haywood, and Pettibone in the State of Idaho; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Indiana, Alabama, New York, California, Oklahoma, New Jersey, Pennsylvania, Connecticut, Illinois, Massachusetts, Iowa, Missouri, Ohio, Michigan, Montana, Texas, Minnesota, Idaho, Oregon, Nebraska, Wisconsin, and New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER. I present a large number of telegrams from telegraph operators in the State of New Hampshire, relative to the sixteen-hour bill. I ask that the signatures, together with the post-office addresses, be inserted in the RECORD, and that the telegrams may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From Frank Walker, of Concord, N. H.; from G. E. Brockway, of Warner, N. H.; from T. M. Casey, of Concord, N. H.; from W. H. Webster, of West Canaan, N. H.; from B. A. Williamson, of Littleton, N. H.; from C. A. Martin, of Danbury, N. H.; from A. L. McNally, of Twin Mountain, N. H.; from F. P. Law, of Concord Depot, N. H.; from J. T. Turcott, of Concord Depot, N. H.; from G. A. Hall, of Boscawen, N. H.; from C. M. Moore, of Lisbon, N. H.; from W. R. Atwood, of West Rumney, N. H.; from W. E. Byron, of Littleton, N. H.; from J. F. Sullivan, of Nashua, N. H.; from W. H. W. Allard, of Ashland, N. H.; from C. J. McKennon, of Gorham, N. H.; from W. B. Durgin and F. M. Haley, of East Andover, N. H.; from R. E. Woodward, of East Tilton, N. H.; from E. A. Lynch, of Gorham, N. H.; from Walter H. Chase, of Bath, N. H.; from Everett L. Evans, of Weirs, N. H.; from Fred P. Learned, operator, of Plymouth, N. H.; from G. M. Paul, agent, C. B. Jenness, operator, and M. L. Mason, operator, of Enfield, N. H.; from W. H. Belding, J. S. Greeley, and George H. Gordon, of Canaan, N. H.; from F. L. Gillingham and B. C. Jones, of Contoocook, N. H.; from J. W. Smith, operator, of Winona, N. H.; from J. R. Little, operator, of Rumney Depot, N. H., and from F. V. Clifford, of Laconia, N. H.

Mr. GALLINGER presented the memorial of H. W. Ferris, of Cleveland, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a petition of the International Association of Master House Painters and Decorators of the United States and Canada of Somerville, Mass., praying that an investigation be made of the illegal acts of labor organizations in restraint of trade and interstate commerce as is done of similar acts of organized capital; which was referred to the Committee on the Judiciary.

He also presented the petition of Dr. M. S. Iseman, of Washington, D. C., praying for the adoption of a certain amendment to the present law to regulate the practice of pharmacy in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT. I present sundry telegrams from telegraph operators in the State of New York, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From C. A. Oakes, of Saranac; from H. D. Pfoor, of Kingston; from H. G. Hibbard, J. M. McGrath, J. M. Oak, and C. Flaherty, of Rochester; from W. H. Day, of Lake Clear; from J. E. Smith, of Loon Lake; from C. H. Williams, of Horseshoe; from J. P. Duffey, of Forest Port; from F. M. Rullison, R. V. Mack, and S. Smith, of Dewitt; from R. L. Dickinson, of Saranac; from Carry, Haynor, and Hart, of Hopewell; from Frank N. Hall, of Salamanca; from H. D. Hammond, of Horseheads; from W. U. Phillips, of Horseheads; from B. L. Seamans, M. L. Russell, C. W. Carbon, and G. H. Reubolds, of Buffalo; from Richard K. Griesinger and Averill Creeden, of Irving; from J. P. Regan, of Buffalo; from A. Stasio, of Buffalo; from J. G. Frawley, of Buffalo; from Revo, Hazen, Mulkins, Ford, Wilder, and Washburn, of Silver Creek; from J. F. Lambert, of Utica; from F. J. Graviller, R. B. Rockelbank, P. Riley, C. Elliott, A. Furman, and George Fake, of Canandaigua; from A. E. Blim, of Chili Station; from G. R. Searl; from W. I. Escrite and W. H. Stanley, of Fishers; from E. J. Schirm, of Darien; from L. L. Woodin and L. A. Woodin, of Salamanca; from J. A. Brown, W. P. Mausell, W. G. Hawley, J. J. Clossey, V. Walters, H. H. Miller, T. F. Sullivan, J. A. Kelly, E. S. Smith, J. Tracey, and J. H. Groat, of Buffalo; from Nickel Plate telegraphers of Dunkirk; from E. S. Wolcott, W. L. Worth, L. L. Brown, J. C. Shaw, G. C. Elliott, and J. T. Stonerod, of Allegany; from H. G. Pomeroy, of Paddelfords; from F. H. Howard, of Warsaw; from H. S. Austin, W. J. Hockey, and W. B. Prescott, of Attica; from B. F. Snyder, of Buffalo; from S. A. Fennell, Charles Hanes, Sara L. Horner, J. M. Hirner, and D. F. Sheehan, of Geneva; from R. G. Provost, of Buffalo; from F. A. Spray and J. F. Spray, of Phelps; from G. D. Willett, of Lakewood; from James J. Trounce, of Buffalo; from G. L. Odell, C. L. Crawford, C. R. Sinn, and W. E. Wakelee, of Athol Springs, and from F. J. Aderson, A. K. Helberger, J. A. Cook, and F. K. Barrett, of Mayville, all in the State of New York.

Mr. PLATT presented petitions of sundry citizens of New York City, Utica, Buffalo, Hornell, Syracuse, and Peekskill, all in the State of New York, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. KEAN presented a petition of the Federation of Woman's Clubs of Camden, N. J., praying for the enactment of legislation to regulate the employment of child labor; which was ordered to lie on the table.

He also presented a petition of sundry citizens of South Amboy, N. J., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of Photo-Engravers' Local Union No. 28, American Federation of Labor, of Newark, N. J., and a petition of Bricklayers and Masons' International Union No. 41, American Federation of Labor, of West Hoboken, N. J., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. BURROWS. I present sundry telegrams from telegraph operators in the State of Michigan, relating to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From O. Fielder and M. S. Wilsburg, of North Morenci; from D. C. Honey and E. C. Honey, of Standish; from D. H. Jackson, of Bangor; from G. E. Speas, of Utica; from N. D. Vanauker, of Rives Junction; from J. D. Naftzger, of Bangor; from E. Vargason and Oscar Pettit, of Otter Lake; from L. Ruppert and C. H. Kalser, of Pinconning; from L. D. Whitney, W. H. Dansby, and W. W. Green, of Newport; from J. P. Rourke, of Rives Junction; from H. V. Healy, of Nashville; from L. R. Taylor, of Mount Pleasant; from W. H. Ryan, of Kalamazoo; from N. J. Granger, of Lansing; from G. S. Oliver, H. L. Armstrong, O. D. Cummings, G. H. Alward, and W. A. Bunting, of Ann Arbor; from J. D. Manor, N. V. Boylan, and W. R. Taft, of Ann Arbor; from J. C. Culkins, of Albion; from J. L. Lacrone, C. V. O'Connor, W. C. Berry, and C. R. South, of New Buffalo; from G. B. Daniels and F. C. Livesay, of Sand Creek; from C. S. Collier, J. H. Hoffstetter, and Lot. Nevius, of Frankfort; from Illif, Dressander, Curtis, Behen, Sellers, Curry, Yoder, Peters, and Livingston, of Romulus; from J. M. Nelson and O. F. E. Shelman, of Ennis; from G. A. Nedham, H. M. Sargent, C. E. Carpenter, and W. A. McTaggart, of Owosso; from B. C. Grant, of Hamburg, and from W. H. Cransy, of Grand Junction, all in the State of Michigan.

Mr. DEPEW. I present sundry telegrams from telegraph operators in the State of New York, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From H. C. Rice, of Buffalo; from J. P. Donovan, H. Garrett, P. Briggs, J. C. Engle, H. R. Butterhill, J. F. Loftus, Peter Furlmidge, D. B. Mettewson, H. S. Gurvin, W. A. Weeks, L. D. White, C. H. Lewcox, and A. R. Kent, of North Tonawanda; from Frank N. Hall, of Salamanca; from Nickel Plate Telegraphers, of Dunkirk; from Trow Directory Printing and Book Binding Company, of New York; from D. C. Wooden and H. C. Kent, of West Paterson; from F. J. Graviller, C. Elliott, R. Brockelbank, A. Furman, P. Riley, and George Fake, of Canandaigua; from E. F. Schneider, of Churchville; from A. B. Brown, of Churchville; from E. S. Wolcott, W. L. Worth, L. L. Brown, J. C. Shaw, G. C. Elliott, J. T. Stonerod, of Alleghany; from J. F. Rosenberry, F. Goddard, A. G. Carlson, and F. M. Thompson, of Red House; from J. F. Lambert, of Utica; from B. L. Woodin and L. A. Woodin, of Salamanca, and from Vail & Johnson, of Hamburg, all in the State of New York.

Mr. DEPEW presented petitions of sundry citizens of La Grange, Mahopac Falls, Chautauqua, Rochester, Penn Yan, Manlius, Dalton, and Fleming, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALLEE. I present sundry telegrams from telegraph operators in the State of Delaware relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From C. J. Rudolph, R. H. Lipscomb, W. D. Livermore, C. T. Denney, H. W. Kennedy, F. C. Melvin, J. W. Beatty, D. B. Pyle, H. W. Miles, and W. H. Norris, of Wilmington, Del.; from J. E. Hancock, of Kiamensi, Del.; from I. G. Jenkins, of Laurel, Del.; from W. A. Watson, of Newcastle, Del.; from O. F. Sheridan, of Newcastle, Del.; from G. C. Brown, of Warrington, Del.; from J. T. Gough, of Bear, Del.; from R. Stevens, of Felton, Del.; from Messrs. Truitt, Gafford, and Gay, Clayton, Del.; from B. C. Wainwright, of Viola, Del.; from W. F. Cubbage, of Viola, Del.; from W. H. Reese, of Bear, Del.; from D. C. Moore, of Viola, Del.; from E. Sterling, of Kirkwood, Del.; from W. B. Prettyman, of Stockley, Del.; from J. G. Whitlock, of Wyoming, Del., and from Messrs. Millman and Thomas, of Clayton, Del.

Mr. ALLEE presented petitions of sundry citizens of Laurel and Farmington, in the State of Delaware, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURNHAM presented the petition of Daniel Graham, telegraph operator, of Gorham, N. H., praying for the adoption of a certain amendment to the so-called sixteen-hour bill to

limit the hours of service of railroad employees and telegraph operators; which was ordered to lie on the table.

He also presented a petition of Brickmakers, Masons, and Plasterers' Local Union No. 3, American Federation of Labor, of Manchester, N. H., and a petition of Boot and Shoe Workers' Local Union No. 28, American Federation of Labor, of Manchester, N. H., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. CULLOM presented petitions of sundry citizens of Hoopes-ton and Waltonville, in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALLISON presented a memorial of sundry citizens of Weston, Iowa, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a memorial of the German-American Central association, of Scott County, Iowa, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Corn Belt Meat Producers' Association, of Des Moines, Iowa, praying for the enactment of legislation to regulate the shipment of live stock; which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Griswold, Dows, Edgewood, Dubuque, Fairfield, New Providence, and Council Bluffs, all in the State of Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURKETT presented a petition of sundry citizens of Malheur County, Oreg., praying for the enactment of legislation providing for the leasing of all public grazing lands; which was referred to the Committee on Public Lands.

Mr. LODGE presented a petition of sundry citizens of Gardner, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Appalachian Mountain Club, of Boston, Mass., praying that an appropriation be made for the maintenance of the Yosemite National Park, in the State of California; which was referred to the Committee on Public Lands.

Mr. KITTREDGE. I present sundry telegrams from telegraph operators in the State of South Dakota relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From A. M. Landmark, of White; from Charles F. Hackett, F. W. Cole, and J. A. Steninger, of Parker; from D. Freck, of Mitchell; from H. E. Brock, of Elk Point; from C. V. Andrews, of Sturgis; and from C. F. Dunham, of Parkston, all in the State of South Dakota.

Mr. NELSON presented a petition of sundry citizens of Farmington, Minn., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

Mr. SCOTT. I present sundry telegrams from telegraph operators in the State of West Virginia relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From Cahill & Graham, of Smithburg, W. Va.; from Etta H. Meadows, operator, of Beckley Station, W. Va.; from J. W. Spurlock, of Orlando, W. Va.; from D. J. McCaulaky and J. A. M. Mahere, operators, of Lusk, W. Va.; from Elmer Ford, night owl, of Glen Alum, W. Va.; from C. S. Pipper, telegraph operator, of Glen Alum, W. Va.; from T. M. Gillum, operator, of Newham, W. Va.; from J. L. Jenkins, of Hackers Junction, W. Va.; from R. S. Smith, operator, of Jayenne, W. Va.; from G. A. Ott, secretary of railway telegraphers in West Virginia, of Terra Alta, W. Va.; from L. D. Nunley, W. D. Ramsey, and Miss Dorcas Duncan, of Ada, W. Va.; from C. E. Cosler, local chairman, of Grafton, W. Va.; from T. A. Hagerty, operator, of Underwood, W. Va.; from M. C. Rathbun, local chairman, of Sistersville, W. Va.; from J. A. Minick, A. N. Peters, J. J. Switzer, and S. R. Moore, operators, of Weston, W. Va.; from E. Wilson, operator, of Highland, W. Va.; from P. W. Strother, Pearisburg, W. Va.; from H. K. Williamson, H. H. Raymond, D. L. Coyne, and R. M. Graham, operators, of Salem, W. Va.; from W. Henry, A. H. Speelman, and R. C. Robinson, of Eckman, W. Va.; from C. L. McPherson, of North Fork, W. Va.; from Ober & Hammond, of Wolf Summit, W. Va.; from F. R. Kern, operator, of Harpers Ferry, W. Va.; from K. N. Walker, N. Rexroad, Arthur Samples, W. A. McCormick, L. C. Dingle-dine, W. W. Satterfield, H. H. Moore, and Charles Orrohod, operators, of Belington, W. Va.; from C. C. Smith, of Arden, W. Va.; from G. C.

Calloway and J. T. Wood, of Coaldale, W. Va.; from Whitehead Jennings, operator, of Cooper, W. Va.; from F. W. Hill, D. C. White, J. L. Cayre, and H. W. Weller, of Vivian, W. Va.; from J. V. Davis, John Lannan, and R. B. Davis, of Bryden, W. Va.; from G. W. Pile, Annie Wickham, and Gordon Mays, of Elkham, W. Va.; from A. E. Swisher, operator, of Meriden, W. Va.; from C. L. West, J. C. Riddle, C. E. Ogden, O. L. Buckhannon, and E. L. Everhart, of Clarksburg, W. Va.; from C. Cline and J. Hammond, of Pennsboro, W. Va.; from J. O. Graham, of Long Run, W. Va.; from S. A. Cunningham, of Enterprise, W. Va.; from O. L. Farlow, of Jayenne, W. Va.; from W. B. Robinson, operator, of Arden, W. Va.; from J. A. Bridge, W. H. Humback, and T. C. Owens, of Clarksburg, W. Va.; from J. W. Rinker, of Wilsonburg, W. Va.; from A. E. Shingleton, of Enterprise, W. Va.; from M. F. Johnson and S. L. Cross, of Flemington, W. Va.; from W. F. Atkins, of Glen Falls, W. Va.; from Graham, Shonehnessy & Graham, of Central Station, W. Va.; from C. E. Heineman, of Chiefton, W. Va.; from L. Olewine, of Enterprise, W. Va.; from C. M. Connelly, of Bridgeport, W. Va.; from Graham, Steurer & Graham, of Kanawha, W. Va., and from G. F. Steur and W. B. Moffitt, of Parkersburg, W. Va.

Mr. NELSON presented petitions of sundry citizens of Hewitt, Austin, Excelsior, Brown Valley, and Shelby, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FULTON. I present a joint memorial of the legislature of the State of Oregon, which I ask may be read and referred to the Committee on Public Lands.

The joint memorial was read, and referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the annexed page contains a full, true, and complete copy of House joint memorial No. 5 adopted by the house of representatives of the State of Oregon February 18, 1907, and by the senate of the State of Oregon February 20, 1907, original of which memorial was filed in this office February 21, 1907.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 21st day of February, A. D. 1907.

[SEAL.]

F. W. BENSON, Secretary of State.

House joint memorial.

To His Excellency the President of the United States and the honorable Senate and the House of Representatives of the United States of America:

Your memorialists, the legislative assembly of the State of Oregon, most respectfully represent that a large number of settlers have settled upon the public domain of the State of Oregon and have been residing upon their claims for many years, and that applications have been made for surveys of such lands.

That the settlers upon such lands are undetermined as to what course to pursue as to the improvement of their claims, and, as they are located far back from settlement, they can not make their entire living upon their claims, and many of them, because of the uncertainty of receiving patent to the land in compensation for their labor bestowed thereon, are leaving their claims and improvements, which are at once scripped by persons who have no interest directly in the development of the State's resources. The scrip holders do not desire that the lands be surveyed, or, if surveyed, the survey accepted, for the reason that the same will be brought under our taxation laws, and are thereby keeping from taxation large tracts of the public domain.

Therefore your memorialists most respectfully ask that the Congress of the United States take some steps to relieve the settlers upon such lands, and where surveys have been made that the same be speedily accepted, and open up the same for settlement.

Adopted by the house February 18, 1907.

FRANK DAVEY, Speaker of the House.

Adopted by the senate February 20, 1907.

E. W. HAINES, President of the Senate.

(Indorsed:) House joint memorial No. 5.

W. LAIR THOMPSON, Chief Clerk.

Filed February 21, 1907.

F. W. BENSON, Secretary of State.

Mr. McCUMBER. I present concurrent resolutions of the legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The concurrent resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Concurrent resolution offered by Mr. Cashel.

Be it resolved by the senate (the house of representatives concurring):

Whereas the valley of the Red River of the North is by nature one of the best, if not the best, of the river valleys of the American continent from an agricultural standpoint, but is at times from a combination of conditions so flooded, both by the overflow of the Red River and its tributaries and by the run-off of the higher lands lying adjacent to and on both sides thereof, and the raising of crops adjacent to the river is to a certain extent uncertain and hazardous; and

Whereas the people residing in the said valley are in the most urgent need of aid for the drainage of their lands in order that crop raising may be assured, and also of the regulation of the flow of the Red River for the purpose of insuring and improving its navigability and the prevention of overflow which results in great damage to life and property; and

Whereas numerous surveys and investigations of portions of this valley have been prosecuted in the past, both in the United States and in Manitoba; and

Whereas the officers of the United States Agricultural Department, in cooperation with the proper officers of the various States affected, are at the present time engaged in making a detailed study of the said valley in the United States, and the engineers of the public works

department of Manitoba are also engaged in the study of the drainage conditions prevailing in the said valley in that province, all of which investigations and study are being carried on with the greatest possible speed consistent with careful study and the funds available; and

Whereas there still remains much to be done before there can be a full and complete understanding of the situation: Therefore, be it

Resolved, That liberal appropriations be made for the prosecution of these surveys by the departments of the Government having the same in charge, to the end that the data required for the proper drainage of the Red River Valley and the regulation of the flow of the Red River may be secured. Be it further

Resolved, That we earnestly and urgently request the government of Canada and the Congress of the United States to secure the appointment of an international commission as early as possible for the purpose of making a thorough investigation of the Red River and its tributaries, with a view of regulating the flood flow thereof, so as to prevent its overflow in the times of flood and improve navigation in periods of low water. Be it further

Resolved, That the extensive drainage projects now being carried on throughout the valley, and which will materially affect the volume of water in said river in the flood period, make it imperative that the flow of this river be regulated as far as possible, with a view to meeting the conditions created by these improvements. Be it further

Resolved, From estimates made by the Government engineers and local engineers it is apparent that the waters of the Red River can be controlled by the construction of a canal connecting Lake Traverse with the Big Stone Lake, thereby lowering the water level of said Lake Traverse and turning the flow from its basin into the Minnesota River in flood time, and by the construction of a reservoir dam at Otter Tail Lake, a reservoir dam at the foot of Red Lake, a reservoir dam on the Sheyenne River at some feasible point, to retain the waters of its basin during flood periods, and a dam on the Pembina River, suitably located to control the floods of that stream, which drains from a large area in Manitoba and North Dakota. By the construction of these dams and reservoirs the damage from overflow of the Red River would be averted and navigation materially improved in low stages of water. From investigations and estimates made by competent engineers the proposed improvements can be constructed at a cost not to exceed \$500,000. Be it further

Resolved, That the Senators and Representatives from the States of Minnesota, North and South Dakota be requested to use all earnest endeavors to have a joint commission appointed, and that an appropriation be made sufficient to defray the expenses thereof; and that the government of Canada be requested to cooperate in the appointment of such joint commission. Be it further

Resolved, That the legislative assembly of the States of Minnesota and South Dakota, the legislature of Manitoba, and the parliament of the Dominion of Canada be respectfully requested to consider these resolutions and to cooperate, through their representatives in their respective lawmaking bodies, in carrying out the object sought in these resolutions; and be it further

Resolved, That the secretary of state be instructed to forward certified copies of these resolutions, one each to the Senators and Representatives in Congress of the three States named, the speaker of the legislature of Manitoba, the presiding officer of the Dominion parliament at Ottawa, Canada, and the Secretary of War, Washington, D. C.

R. S. LEWIS, President of the Senate.

JAMES W. FOLEY, Secretary of the Senate.

TREADWELL TWICHELL, Speaker of the House.

P. D. NORTON, Chief Clerk of the House.

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota, and was concurred in by the house of representatives.

JAMES W. FOLEY, Secretary of the Senate.

Mr. HOPKINS. I present sundry telegrams from telegraph operators in the State of Illinois, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From Ralph Toombs and M. J. Madden, of Freeport; G. R. Stewart, of Chicago; from G. W. Scott, of LaSalle; from S. H. Dabbs, of LaSalle; from R. R. Hollis, of Chestnut; from Joseph M. Wazeka and Edward Novak, of Chicago; from E. E. Lvezey, of Chicago; from G. W. Tate, of Jeffersonville; from J. M. Peck, of Farmingdale; from George C. Cannon, of Rapatee; from Aug. W. Grunz, E. G. Castle, and R. C. Heur, of Breese; from C. J. Walker, L. A. Richards, H. A. Bolinger, and J. B. Weems, of Newton; from J. C. Koons, of Peru; from A. C. Letts and E. P. Feray, of LaSalle; from I. E. Diefendorf, of Stockdale; from C. A. Indra, F. Omer, G. L. Baldwin, and Charles Piper, of Lena; from W. L. Slater, of Cowden; from J. C. Peterson, of Morris; from E. H. Lacey, J. J. Ivory, E. L. Kane, C. S. Davis, C. D. Jeffrey, C. J. Livingston, A. F. Welmer, C. R. Potter, R. R. Ginn, G. J. McCarty, and Glen Gilbert, of Galena; from E. C. Pibley, of Chicago; from C. W. Parkins, W. R. Blerce, James Hansberry, C. E. Conklin, and O. M. Walz, of Council Hill; from L. E. Anschutz, I. N. Swain, and B. A. Young, of Warren; from D. J. Buckley, of Chicago; from E. H. Donner, S. D. Rowe, A. R. Meade, and M. E. Wilcoxson, of Apple River, and from G. C. Ricketts, of Stockdale, all in the State of Illinois.

Mr. HOPKINS presented a petition of Local Union No. 581, United Brotherhood of Carpenters and Joiners, of Herrin, Ill., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Warren, Eureka, and Moline, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 118, United Garment Workers, of Bloomington; the Elgin Trades Council; of Local Union 720, United Mine Workers, of Staunton; Local Union 185, Coopers' International Union, of Peoria; Local

Union 325, Brotherhood of Blacksmiths, of Chicago, and of Local Union 3, Iron, Steel, and Tin Workers, of Kewanee, all in the State of Illinois, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. GAMBLE. I present sundry telegrams from telegraph operators in the State of South Dakota relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered. The telegrams were ordered to lie on the table, as follows:

From W. H. Warren, Thomas H. Ruth, C. H. Warren, and F. W. Wright, of Desmet, S. Dak.; from E. C. Miles, of Black Hawk, S. Dak.; from F. W. Lacktrup, of Irene, S. Dak.; from S. G. Mortimer, of Bellefourche, S. Dak.; from S. J. Hopper and C. V. Andrews, of Sturgis, S. Dak.; from J. F. Trax, of Beresford, S. Dak.; from Stonage Business Club, J. C. Headlee, of Stonage, S. Dak.; from H. E. Brock, of Elkpoint, S. Dak.; from C. W. Pratt, of Geddes, S. Dak.; from D. E. Sullivan, of Vermillion, S. Dak.; from N. Paulsen, of Centerville, S. Dak.; from I. L. Fleeger, of Parker, S. Dak.; from A. W. Tyner, of Elkton, S. Dak., and from P. S. Nolton, of Elkton, S. Dak.

Mr. PILES presented memorials of sundry citizens of Beck, Malott, Brewster, Methow, Conconully, Ophir, and Ranching, all in the State of Washington, remonstrating against the enactment of legislation withdrawing public lands from homestead settlement for forest-reserve purposes, and also against making temporary withdrawals permanent; which were referred to the Committee on Public Lands.

Mr. WARREN. I present a joint resolution of the legislature of Wyoming, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

The joint resolution was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

STATE OF WYOMING.
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, State of Wyoming, ss:

I, William R. Schnitger, secretary of state of the State of Wyoming, do hereby certify that the annexed has been carefully compared with the original copy of house joint resolution No. 7, of the ninth State legislature of Wyoming, relating to the management of the lands in the State by the State land board, and is a full, true, and correct copy of same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 25th day of February, A. D. 1907.
[SEAL.] WM. R. SCHNITGER,
Secretary of State.

House joint resolution No. 7.

In opposition to any proposed change in the Federal land laws or in the administration of said laws, or to any regulations that will operate to the injury of the State of Wyoming, retard its development, hinder its growth, or interfere with the prosperity of its people.

Whereas 60 per cent of the lands of Wyoming are unoccupied, except for the grazing of live stock; and

Whereas conditions in Wyoming were never more prosperous than at present, and it should be our aim to maintain same; and

Whereas the relations between the various live-stock interests were never more peaceful and satisfactory than now; and under present methods of conducting the live-stock industry, necessitating, as it does, winter feeding, the irrigable lands are being reclaimed and made to produce their full capacity of hay and small grains, thereby offering inducements to settlers and dry farmers, and creating a home market for the fruits of their labors, which will grow rapidly under a continuation of these conditions, thereby almost doubling the stock-carrying capacity of the arid ranges and thus increasing, to a marked degree, the taxable wealth of the State; and

Whereas the influx of home builders, homesteaders, and settlers under our irrigation system was never greater or as steady as at present, and the prospect for the future was never brighter in our young Commonwealth. The Government is constructing two great irrigation systems in this State, and soon the farmer and home builder will be invited to come in large numbers and settle the lands under these enterprises; and

Whereas experiments in dry farming have proved conclusively that a large percentage of arid lands heretofore regarded as fit only for the limited grazing of live stock can be reclaimed by the dry-farming methods and made to produce bountiful crops of hay and grains common to this climate; and efforts are now being made to settle these lands by this plan, which has already proved successful: Therefore, be it

Resolved by the house of representatives of the ninth legislature of the State of Wyoming (the senate concurring), That we view with alarm any proposed change that will in any way injure our prosperity, restrict immigration, keep out the home builder, homesteader, and settler, retard the growth of our young State, handicap work upon the great irrigation enterprises of the Government and private capital, restrict or destroy the home market of the small ranchman, dry farmer, and settler, who depends upon the live-stock industry for an outlet for his hay, small grains, and produce, or that will in any way interfere with the present peaceful relations between stockmen. Be it further

Resolved, That we favor such changes as will place all such lands under the control of the Commissioner of Public Lands, by direction of the State land board in the respective States and Territories. Be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, Secretary of the Interior, Secretary of Agriculture, and to Members of Congress of the United States, with the request that same be given careful consideration before entering upon any plan having for its object the leasing or control of the range lands of Wyoming.

Approved February 20, 1907.

Mr. WARREN presented petitions of sundry ranchmen of Phillips, Meriden, La Grange, Manville, Guernsey, Sunrise, and Frederick, all in the State of Wyoming, praying for the enactment of legislation providing that actual settlers may lease the Government land contiguous to their patented land; which were referred to the Committee on Public Lands.

Mr. PROCTOR presented a petition of the Laundry Workers' Union No. 178, of Barre, Vt., praying for the enactment of legislation for the protection of labor and industries from the competition of convict labor and prison-made goods; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. PLATT, from the Committee on Printing, reported an amendment providing that under the provisions of section 3 of an act to amend an act providing for the public printing and binding and distribution of public documents the Public Printer is directed to keep separate account of the expense of the administration of the office of the superintendent of documents of the Government Printing Office, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment providing for the appointment of a Joint Committee on Printing of the two Houses of Congress to continue the work of the Printing Investigation Commission appointed under the provisions of an act approved March 3, 1905, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. CRANE, from the Committee on Commerce, to whom was referred the bill (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River," reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 7663) to increase the efficiency of the personnel of the Revenue-Cutter Service, reported it with amendments, and submitted a report thereon.

Mr. KNOX, from the Committee on the Judiciary, to whom was referred the amendment submitted by himself on the 27th ultimo proposing to appropriate \$3,000 to pay John M. McDowell, of Council City, Alaska, for services rendered in preparing a new set of indices of all the records of the recording district of that city, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

PROPOSED INVESTIGATION BY FINANCE COMMITTEE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. ALDRICH, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal revenue, customs, currency, and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

HOSPITALS AND CHARITABLE INSTITUTIONS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. GALLINGER, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, The Committee on the District of Columbia be, and hereby is, authorized and directed, by subcommittee or otherwise, to make an inquiry into all matters relating to the hospitals and other charitable institutions in the District of Columbia, and to report from time to time to the Senate the result thereof; and for this purpose is authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, to send for persons and papers, to administer oaths, and to employ such stenographic and other assistance as may be necessary, the expense of such inquiry to be paid from the contingent fund of the Senate.

Mr. MORGAN. Mr. President, I am directed by the Committee on Foreign Relations to report back the resolution referred to that committee on the 18th of February.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. CARMACK (for Mr. MORGAN) February 18, 1907, and referred to the Committee on Foreign Relations, as follows:

Resolved, That the President is requested, if it is not incompatible with the public service, to inform the Senate whether the Government

has information as to any concession from King Leopold of Belgium, as sovereign of the Kongo Free State, to any company or syndicate of citizens of the United States for the gathering of india rubber within the area of the territory of the Free State of the Kongo, located at the mouth or along the banks of the Kassai River, from its junction with the Kongo River southerly into the rubber forests or areas of that part of the Free State of the Kongo.

And that he inform the Senate of the names of American citizens to whom such concession has been made, and as to the territorial boundaries thereof, and as to the terms thereof, and as to the rights, privileges, and powers given by such concession to such company or syndicate. And also as to what powers are given by such concession to such company or syndicate to exercise government or control over the native people of such area, either separately or in cooperation with the government exercised by King Leopold over the Free State of the Kongo. And that the President inform the Senate whether the company or syndicate, as above referred to, has submitted its concession to the Government of the United States for approval or disapproval, and whether the same has been approved.

And also that the President is requested to inform the Senate whether the Government has any information as to the exclusive concession of a right to gather rubber in the forests of Liberia has been made by the Liberian Government to a British company or syndicate, and the terms and conditions of such concession, and to what extent the same has been or is being executed.

Mr. MORGAN. I will not ask for the present consideration of the resolution, as some Senators desire to examine it more carefully before it is acted upon by the Senate.

The VICE-PRESIDENT. The resolution will be placed upon the Calendar.

Mr. MORGAN. I have here a statement of my own, signed by myself, for which no other Senator is in any wise responsible, and which I desire to have printed in the RECORD in support of the report I have just made.

There being no objection, Mr. MORGAN's statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF THE REPORT SUBMITTED BY MR. MORGAN.

It is especially true in the Kongo Free State that by far the greatest asset which nature has placed in possession of the native population is the capacity of that region for producing india rubber. The variety of plants from which india rubber is obtained in that country is greater than anywhere else in the world, and the quality of the rubber is unexcelled. It is an industry in that country that is capable of being increased in value by the simplest and most unskilled forms of labor. No basis of actual civilization is placed in reach of the barbarian tribes of the earth that compares with the production of india rubber, and in the effort to reserve to them the ownership of their native lands and forests no foundation is so reliable as the production of india rubber. It has very suddenly grown to be one of the leading products of commerce throughout the world. It is classed along with wheat, cotton, and wool in its capacity to yield revenue in gold to the simplest forms of human labor and skill.

In every tropical region of the earth the production of india rubber is rapidly becoming the leading industry, and the capitalists of the civilized nations are eagerly pushing into these rubber forests with all manner of monopolistic arrangements for subjecting this great product—the gift of nature—to their craving for wealth. This product, with its accessories of mahogany, ivory, and palm oil, all of them very valuable, is at the foundation of the most arbitrary and unjustifiable usurpation in the Free State of the Kongo that has ever existed in any country or over any people. It has induced Leopold, King of the Belgians, to unite his supposed royal authority and power with his vast private fortune for the purpose of exploiting the lands, the people, and the natural products from the Kongo Free State for his personal emolument. There is really no question that he has accumulated in this way vast sums of money which belong to the people of the Free State of the Kongo. He has been repaid ten times over all the money he ever expended in his efforts to exploit the Kongo country.

He has set apart a very large proportion of this land as a private domain of what he calls the Crown, over which he exercises absolute authority, and he has drawn to himself the support of capitalists and men of power and influence throughout Europe. He has granted concessions of large areas of land to syndicates composed of men of wealth, enterprise, and great political influence. Having thus fortified himself in his aggressions with these extraordinary supports, he has pressed his demands upon the native population of the Kongo Free State and imposed his tasks upon them of personal labor to the extreme of cruelty.

Humanity throughout the world rises in protest against his arbitrary work, and has been already voiced through the resolution adopted by the Senate of the United States.

These concessionaires of this so-called King of the Free State of the Kongo have been empowered by him to exercise the same distressing authority over the people, which they have proceeded to enforce without restraint and without the responsibilities

to public opinion which should check their avarice and greed in dealing with an ignorant and subjugated people.

It is not far to go to get evidence that is conclusive as to the inhuman barbarities that have been inflicted by the ruler of the Free State of the Kongo and the concessionaires of King Leopold upon these helpless people.

The report of the commission appointed by Leopold to investigate this subject, after full examination, establishes the shocking inhumanity of his conduct and that of his concessionaires toward the Kongo people. This report, after it was made, was held by Leopold from publication until the public opinion of the world forced him to give it out, and then, through partial translations, it was softened and modified in many particulars, in order to deceive the world.

If we could feel that in respect to the weight, power, and influence of the truth we would be justified in setting aside every report that has been made by the missionaries and by travelers and explorers, and by the consul-general of Great Britain, and treating them as idle and malicious stories, yet quite enough is disclosed in the report of the commission organized and sent out by King Leopold to prove the inhumanity that he and his concessionaires have inflicted upon these helpless people. There is no plea or apology or excuse that can avoid the naked and rugged truth as it is disclosed in the report of the commission sent out by Leopold. No argument can be adduced to modify or evade the conclusion that the reign of Leopold in the Free State of the Kongo has been personally selfish and has inflicted more terrible inhumanity upon these people than is to be found recorded in any book of history.

It is not now necessary to develop more fully the facts that comprise the history of this inhuman combination to amass wealth from the property, the labor, the sufferings, and the oppressions of the people of the Free State of the Kongo. The case is sufficiently established in the report which King Leopold has at last been compelled to send out to the world, made by his own commission.

The Senate of the United States, with these facts, through its Committee on Foreign Relations, has acted upon the report of Leopold's commission, and also upon the great mass of testimony that is even more reliable which has been presented in memorials to Congress by the Kongo Reform Association and by many other associations and people. This multitude of witnesses adds a crushing weight to the facts disclosed in the report of Leopold's commission. Acting upon this mass of evidence, including the report of Leopold's commission, the Senate has deliberated upon this painful situation and has been compelled to adopt the following resolution:

"Resolved, That the President is respectfully advised that in case he shall find that such allegations are established by proof he will receive the cordial support of the Senate in any steps, not inconsistent with treaty or other international obligations, or with the traditional American foreign policy which forbids participation by the United States in the settlement of political questions which are entirely European in their scope, he may deem it wise to take in cooperation with or in aid of any of the powers signatories of the treaty of Berlin for the amelioration of the condition of such inhabitants."

This resolution is based upon the statement that "it is alleged that the native inhabitants of the basin of the Kongo have been subjected to inhuman treatment of a character that should claim the attention and excite the compassion of the people of the United States."

This basis of humanity has often been considered quite sufficient to excite the Government of the United States to inquire and sometimes to interpose for the relief of oppressed people. In fact, no greater oppression or misfortune has been visited upon any people without attracting either the legislative or diplomatic efforts of the United States Government to minister to their relief. There is no reason why the sufferings of the people of the Kongo Free State should not excite similar attention, when the alleged inhumanity by one who assumes royal authority over them is the motive of our actions. But the real basis of our own action in respect to the Free State of the Kongo and its inhabitants rests upon a moral and national duty that we owe to millions of people in the United States who are of African descent, and to very many of whom the Kongo Free State is their fatherland.

When the Constitution of the United States abolished the slave trade there were hundreds of thousands of negroes in our midst who were held in slavery. Very many of these people were natives of the Kongo Free State, and all of them came from that State or adjoining countries. Laws were enacted by the United States and other nations, and treaties were entered into, that punished the slave trade in the future as piracy.

In pursuance of these engagements, negroes that were cap-

tured from slave ships by vessels of the United States were returned to Africa. They could not possibly have been returned to the place from which they had been captured, and the Congress of the United States, acting in concert with the legislature of Maryland, instituted, organized, and put in force, with the consent of the negro chiefs of Liberia, a colony of negroes so captured and of negroes emancipated by their owners in the United States, and matured that colony into a republic whose independence and flag was recognized by all the Christian nations of the earth.

It is not necessary to go through the history of this interesting progress, as the demonstrated result stands forth proudly as the expression of the will of the American people that negroes that had been exiled from their homes in Africa, and were afterwards emancipated from slavery, should have a home on the continent of Africa, to which they could return in peace and without interference from any source. The emancipated negro was regarded as an exile from his home through the operations of the slave trade, in which Great Britain and her American colonies had been active participants, and the world recognized the moral and political right and duty to secure a home to these exiles in their fatherland.

Since the progress of emancipation has removed the bonds of slavery from every person of African descent in the United States, these emancipated negroes occupy justly the same attitude that those held who were captured from slave ships or were emancipated by their owners and congregated in Liberia. The moral duty of returning the exiled negroes to their fatherland, which was so expressly affirmed in our dealings with Liberia, may not be so compulsory or so necessary as the colonization of Liberia was in 1820; but the right of the negro to return to his fatherland, without obstruction from any source whatever, is the right of every exile to return home after his banishment has ended. It is a right that must be exercised freely and voluntarily, and no compulsion of law can be justly exercised over the exile to determine his course of conduct. The emigration on the part of the negro must be voluntary. There are millions of negroes in the United States who earnestly desire to return to their fatherland in the Kongo Free State, and the question is whether any influence or power on the earth or any ruler of the Kongo has the rightful power to prevent his free access to that country and the protection of his natural rights as a human being while residing there.

This question was considered by the Congress of the United States and settled when Mr. Stanley, supported by the enterprise of the New York Herald, had astounded all Europe by the discovery of the sources of the Kongo River, which reaches nearly across the entire breadth of the continent of Africa. America adopted the honor of the enterprise and rejoiced in Stanley's success, while wondering, however, that Europe had so long delayed in making the exploration that Stanley completed. He brought with him a number of treaties made with the kings of African tribes in the Kongo country, probably a hundred of such engagements, all looking to the combination of the numerous tribal kingdoms in a general association or government that would secure the entire watershed of the Kongo River forever to the native people of that country, in whom the sovereignty of that region was acknowledged to reside.

Here was furnished the opportunity to the civilized nations of the earth to dedicate the basin of the Kongo to the sovereign ownership of its native inhabitants, and also to protect them against the still active slave trade that was conducted by Arabs and some Christian nations.

Soon after Stanley's discovery of the Kongo River scientific explorers went into that country and established posts and made treaties of peace with the native kings for the purpose of contributing the results of their explorations to geographers and scientists of all countries. They claimed nothing of the native kings except places of abode and peace and protection, which was heartily accorded to them. A society of this character, called the African International Society, was organized at Brussels. It was constituted by enterprising men, devoted to science, from every European country, and among its most prominent and active members was the honorable Mr. Sanford, of Florida, formerly minister to the court of Brussels from the United States. Through the provision of the International African Society considerable development of scientific and trading posts was made, and a conference or congress of European powers was called to meet at Brussels through the invitation of that society, to take into consideration the interests of Kongo people and to regulate their dealings with the inhabitants of that country. That conference met at Brussels, and the United States was represented in its deliberations. A general act was signed, which embodied the regulation agreed upon, and the

United States Government adhered to it as a signatory power. Before that convention met the Congress of the United States took up the question of the future government of the Kongo Basin. This action of Congress resulted in the following declaration by the Secretary of State on the 22d of April, 1884:

"Frederick T. Frelinghuysen, Secretary of State, duly empowered therefor by the President of the United States of America, and pursuant to the advice and consent of the Senate, heretofore given, acknowledges the receipt of the foregoing notification from the International Association of the Kongo, and declares that, in harmony with the traditional policy of the United States, which enjoins a proper regard for the commercial interests of their citizens while, at the same time, avoiding interference with controversies between other powers, as well as alliance with foreign nations, the Government of the United States announces its sympathy with and approval of the human and benevolent purposes of the International Association of the Kongo, administering, as it does, the interests of the Free State there established, and will order the officers of the United States, both on land and sea, to recognize the flag of the International African Association as the flag of a friendly government.

"In testimony whereof he has hereunto set his hand and affixed his seal this 22d day of April, A. D. 1884, in the city of Washington.

"FREDK. T. FRELINGHUYSEN."

Later, in January, 1892, the act signed at Brussels in 1890 was ratified by the Senate as to all parts thereof except such parts of such convention as relate to any interest in the possessions of protectorates established or obtained on that continent by other powers, or any approval of the wisdom, expediency, or lawfulness thereof.

The act of Brussels was signed on the 2d of July, 1890. The act relates chiefly to the suppression of the slave trade, but makes many provisions that are incidental to that general purpose, such as importation of firearms and of spirituous liquors and the protection of liberated slaves in their rightful possessions. There were fifteen signatory powers to that act, including "His Majesty the Sovereign of the Independent State of the Kongo," represented by his minister of state, and the director-general in the department of foreign affairs of Belgium.

In the preamble of this act it is declared that the signatory powers are "equally actuated by the firm intention of putting an end to the crimes and devastation engendered by the traffic in African slaves, of efficiently protecting the aboriginal population of Africa, and of securing for that vast continent the benefits of peace and civilization."

In Article I of the act it is stated that the powers declare that the most effective means of counteracting the slave trade in the interior of Africa are the following:

"Progressive organization of the administrative, judicial, religious, and military services in the African territory placed under the sovereignty or protectorate of civilized nations."

Many other things, including the construction of roads and railways, are enumerated as the purposes that the act is intended to execute; to diminish intestine wars between tribes by means of arbitration; to initiate them in agricultural labor and in the industrial arts so as to increase their welfare; to raise them to civilization and bring about the extinction of barbarous customs, such as cannibalism and human sacrifices; to give aid and protection to commercial enterprises; to watch over their legality by especially controlling contracts for service with natives, and to prepare the way for the foundation of permanent centers of cultivation and of commercial settlements; and protect, without distinction of creed, the missions which are already or that may hereafter be established.

To all of these purposes intended to secure peace, independence, and prosperity to the people of the Kongo and not to rob them of any of their rights, liberties, or possessions, the United States gave its consent for the ratification of the general act signed at Brussels in 1890. Without further enumerating or discussing the other affairs of our relations with the Kongo Free State, and without discussing the declaration of its independence made by Congress, or under the act of Brussels, it seems to be very clear that the Government of the United States has not only the right but the duty in interposing to see that these liberties, benefits, and advantages are secure to the people of the Free State of the Kongo.

Leopold was never made sovereign of the Free State of the Kongo. He certainly is not its king, and he has no sovereign ownership of that great territory and no arbitrary power of government over its inhabitants. The act of Brussels was a contract amongst the great powers of Europe intended to shelter and protect these people in their rights until they could grow up into a condition of wisdom and self-government that would

enable them to select their own sovereign ruler. It was a guardianship and was not a transfer of sovereign ownership to Leopold over the Free State of the Kongo.

The negroes of that country have never given their consent in any form to the sovereignty of King Leopold. They are still under the guardianship of the civilized nations of Europe and the United States, and we have a perfect right to ascertain whether Leopold is exercising over them an ownership and a control in the name of law, and of all the productions of the Kongo Basin in the manner described in the various reports and remonstrances that have been sent to the Congress of the United States by our own people.

But there is a still more direct inquiry that the Government of the United States is compelled to make in respect of the conduct of its own citizens in accepting concessions from Leopold of large areas of land in the heart of the Kongo Free State, for the purpose of working the forests for india rubber and other native productions. It is not denied that King Leopold has made concessions to some of our wealthiest and most prominent citizens of a large area of land along the Kassai River for the purpose of producing rubber. This may be a most propitious event for the security and prosperity of that part of the Kongo Free State; but the title that is claimed by his company comes by grant from Leopold, and it at least needs confirmation by the signatory powers to the Brussels act before it can be accepted as a valid conveyance.

No imputation is made against the conduct or purposes of this concessionary company. It is supposed that this company must have communicated so important a transaction to the Government of the United States. If this has not been done, it is the plain duty of the Government to make inquiry as to the extent and as to all the terms and conditions of the grant.

The Government of Liberia, it is asserted on good authority, has made a concession of all of its india rubber and mahogany lands to a British syndicate, and this is a subject into which the United States is in duty bound to inquire. It is the duty of the United States Government to see to it that no barrier or impediment is created by the act of Leopold or by any other authority to debar the exiled Africans who have been held in slavery in the United States from the right to return to their native land and to hold, in company with their kinspeople, the free and unobstructed opportunity to enjoy the great advantages which are now offered to them, and which the United States owes to them of repatriation in their own country without let or hindrance.

The native resources of Central Africa present vast stores of treasure to invite their aid in developing the wealth of that country, and it is time that the United States should interpose its just powers, whatever they may be, in aiding these exiles to establish their sovereign rights in the country that God has given to them.

T. E. BOYT.

Mr. CULLOM. I should like to call up the bill (H. R. 19275) for the relief of T. E. Boyt, reported yesterday without amendment from the Committee on Finance.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to T. E. Boyt, of Vienna, Ill., \$461, to reimburse him for said sum paid by him for a technical violation of the internal-revenue laws of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25738) to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River, to report it favorably without amendment.

Mr. BLACKBURN. I wish to ask the indulgence of the Senate to put the bill upon its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CUMBERLAND RIVER BRIDGES.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25739) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River, to report it favorably without amendment.

Mr. BLACKBURN. I likewise request the present consideration of the bill just reported.

The Secretary read the bill; and there being no objection, the

Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WATER PIPES TO STATEN ISLAND.

Mr. FRYE. I report back favorably from the Committee on Commerce, with an amendment in the nature of a substitute, the bill (S. 8328) to permit the city of New York or the Hudson County Water Company, or either of them, to lay, maintain, and operate two water-pipe lines across and under the waters of the Kill von Kull from Bayonne, N. J., to Staten Island, and I submit a report thereon. I ask for the present consideration of the bill. There will be no need of reading the bill, but simply the amendment, which proposes to strike out all after the enacting clause and insert a substitute.

The VICE-PRESIDENT. The proposed substitute will be read for the information of the Senate.

The SECRETARY. The committee report to strike out all after the enacting clause and insert:

That it shall be lawful for the Hudson County Water Company, a corporation of the State of New Jersey, its successors and assigns, to lay and maintain two water pipes, for the transportation of water which may be legally transported through the same, across and under the Kill von Kull, from Bayonne, N. J., to Staten Island, being the Borough of Richmond, in the city and State of New York, such pipes to be laid in accordance with plans approved by the Secretary of War, and the work to be done under the direction of the Board of Engineers.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to permit the laying of two water pipes from Bayonne, N. J., to Staten Island, New York."

BILLS INTRODUCED.

Mr. BURKETT introduced a bill (S. 8614) to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 8615) to amend section 11 of an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. GAMBLE introduced a bill (S. 8616) granting an increase of pension to Martha A. Sheldon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 8617) granting an increase of pension to Hannah Ross; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 8618) for the relief of Robert Michaels; which was read twice by its title, and referred to the Committee on Claims.

Mr. OVERMAN (for Mr. SIMMONS) introduced a bill (S. 8619) for the relief of the estate of John Henry Jackson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 8620) granting a pension to Susan Coffee; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. BLACKBURN submitted an amendment to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House of Representatives, etc., a sum equal to one month's pay, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

Mr. PILES submitted an amendment proposing to appropriate \$24,000 for the construction of a wharf and storehouse thereon at Waaddah Island, Neah Bay, Washington, for the use of the Revenue Cutter and Life-Saving Service, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DEPEW submitted an amendment providing that hereafter the salary of the assistant appraisers at the port of New

York shall be \$4,000 annually, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McENERY submitted an amendment authorizing the Secretary of the Treasury to return to the Citizens' Bank of Louisiana the money taken from that bank by military order on June 19, 1862, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HEYBURN submitted an amendment relative to appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation for the reclamation of arid lands, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

M. R. WILLIAM GREBE.

On motion of Mr. LONG, it was

Ordered, That there may be withdrawn from the files of the Senate all papers relating to the bill (S. 2738, 59th Cong.) for the relief of M. R. William Grebe, there having been no adverse report thereon.

SCHEDULE OF CLAIMS, JUDGMENTS, AND AWARDS.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate the following schedule and lists of claims, judgments, and awards requiring appropriations by Congress not heretofore reported to Congress at the present session, namely:

First. Schedule of claims allowed by the accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874.

Second. List of judgments rendered by the Court of Claims against the United States.

Third. List of judgments rendered by the Court of Claims in favor of claimants and against the United States under the act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891.

Fourth. List of judgments rendered against the United States by the circuit and district courts of the United States under the act to provide for bringing suits against the Government of the United States, approved March 3, 1887.

Fifth. List of awards made by the Spanish Treaty Claims Commission under the act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, concluded on the 10th day of December, 1898, approved March 2, 1901.

DENATURED ALCOHOL.

Mr. ALDRICH. I ask that the hearings held by the Committee on Finance on House bill No. 24816, known as the "amendment of the free-alcohol law," be printed as a Senate document and that 500 additional copies be printed for the use of the Committee on Finance.

The VICE-PRESIDENT. Without objection, it is so ordered.

DUTY ON LEAF TOBACCO.

Mr. ALDRICH. I ask that the hearings held by the subcommittees to the Committee on Finance during the Fifty-eighth and Fifty-ninth Congresses on House bills Nos. 14896 and 14972, known as the "free-alcohol bills," be printed as a Senate document and that 500 additional copies be printed for the use of the Committee on Finance.

The VICE-PRESIDENT. Without objection, it is so ordered.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

H. R. 17013. An act for the relief of Charles A. Going; and

H. R. 20490. An act for the relief of Frank J. Ladner.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugott F. Keller as second lieutenants in the United States Army;

H. R. 25801. An act granting an honorable discharge to Seth Davis; and

H. R. 20128. An act to complete the naval record of Patrick Naddy was read twice by its title, and referred to the Committee on Naval Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 24945. An act for the relief of M. I. Gallups, R. S. Smith, W. N. Gill, J. A. Weaver, I. S. Cadenhead, Davis Gillenwaters, and John McLemore;

H. R. 22543. Granting to the town of Pawnee, in Pawnee County, Okla., certain lands for park, educational, and other purposes was read twice by its title, and referred to the Committee on Territories;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company was read twice by its title, and referred to the Committee on Finance; and

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, or with Indian tribes, and to protect the same" was read twice by its title, and referred to the Committee on Patents.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals; and

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals.

ALLEN V. REED.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now captain on the retired list of the Navy, as commodore on the retired list of the Navy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DICK. I move the Senate insist upon its amendments and agree to the conference asked by the House of Representatives, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. DICK, Mr. GALLINGER, and Mr. MALLORY as the conferees on the part of the Senate.

ALASKA MINING CLAIMS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives agreeing to all the amendments of the Senate to the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska except amendment No. 9, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BEVERIDGE. I move that the Senate insist upon its amendment still in disagreement and agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice-President appointed Mr. DILLINGHAM, Mr. PILES, and Mr. PATTERSON as the conferees on the part of the Senate.

Mr. CARTER subsequently said: Mr. President, I ask unanimous consent that the order of the Senate appointing conferees on the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska be reconsidered.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Montana asks unanimous consent that the order appointing conferees on the bill which he has named be reconsidered. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARTER. I now move that the Senate recede from its amendment numbered 9 to that bill, which is the only question that has been in controversy.

The motion was agreed to.

Mr. ALDRICH. Will the Senator from Montana kindly explain the nature of the amendment?

Mr. CARTER. The amendment in question relates to a rule of proof which was adopted by the Senate on my motion. It is

contended that the House provision meets the conditions and that the amendment should be disagreed to. I am willing that the amendment shall be withdrawn and leave the matter as it came from the other House in that particular. There were a number of amendments adopted by the Senate, and this is the only one in disagreement.

The PRESIDING OFFICER. In the absence of objection, amendment numbered 9 will be receded from.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTI, one of his secretaries, announced that the President had approved and signed the following acts:

On March 1:

S. 4506. An act to provide for the better registration of births in the District of Columbia, and for other purposes;

S. 6993. An act to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the District of Columbia;

S. 8208. An act authorizing the extension of Park place NW.;

S. 8510. An act to amend an act providing for the public printing and binding and the distribution of public documents;

S. 925. An act authorizing the construction of four steam vessels for the Revenue-Cutter Service of the United States; and

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat.

ELIJAH B. HUDSON.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions:

To the Senate:

In compliance with Senate resolution (the House of Representatives concurring) of February 28, 1907, I return herewith Senate bill No. 6078, entitled "An act granting an increase of pension to Elijah B. Hudson."

THE WHITE HOUSE, March 1, 1907.

THEODORE ROOSEVELT.

INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, submitting the report, with accompanying papers, of the delegates of the United States to the Third International Conference of American States, held at the city of Rio de Janeiro, Brazil, from July 21 to August 26, 1906.

THE WHITE HOUSE, March 1, 1907.

THEODORE ROOSEVELT.

COPIAH COUNTY, MISS.

Mr. FULTON. Mr. President, yesterday I entered a motion to reconsider the vote whereby the bill (H. R. 3518) for the relief of Copiah County, Miss., was passed. I also asked at that time that the bill might be recalled in order that the vote might be reconsidered. I now renew the request for the recall of the bill from the House of Representatives.

Mr. McLAURIN. Mr. President, I believe under the latter part of Rule XIII the motion has to be put immediately without debate, but I ask unanimous consent before that is done to say a few words in reference to this matter.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none. The Senator from Mississippi will proceed.

Mr. McLAURIN. Mr. President, this is a bill that was passed day before yesterday. It is a bill to refund to Copiah County the costs paid in a litigation between the Government and that county, the Government as complainant and the Virginia Bridge and Iron Company as defendant, in a suit that was instituted by the Government for an injunction enjoining the building of a bridge across Pearl River near Rockport. The bill was filed by the Government and a preliminary injunction granted thereon. The injunction was granted by Judge Niles, of the United States district court. After some litigation the injunction was dissolved and judgment rendered in favor of the defendant for the dissolution of the injunction, and not only for the dissolution of the injunction, but for the payment of the costs.

An appeal was taken to the circuit court of appeals at New Orleans. Before the appeal was heard an act of Congress was passed and approved by the Executive authorizing the construction of the bridge, and that obviated the necessity of further litigation. The costs were \$164.50.

This bill was introduced in the House and passed the House after the Committee on Claims of the House had carefully considered the merits of the bill, reported favorably to the House, and the House passed the bill some ten days or two weeks ago.

As I stated yesterday, there was no meeting of the Committee on Claims last Tuesday. Only three members of the committee, including the chairman, attended, and the meeting was called off by the chairman. I then asked the consent of the chairman to poll the committee. He stated to me that it was not necessary to get his consent, which I knew already, but I did not intend to poll the committee unless he did consent. He consented to the polling of the committee, with the statement that while he would not object to the consideration of the bill he would oppose the bill. I polled the committee and obtained the consent of every member of the committee who was in the city at the time, except the chairman, to a favorable report of the bill.

The bill was reported, as I stated yesterday, while there was a good deal of confusion in the Senate Chamber day before yesterday when the Calendar was being cleared of unobjected bills. I asked unanimous consent for the present consideration of the bill, which was given, and the bill was considered and passed by the Senate.

It carries only \$164.50. The objection of the chairman is that it sets a bad precedent. I do not think it sets a bad precedent for the Government to pay that which it ought to pay. A very poor man may go into court and lose his case. The costs are adjudged against him and he is compelled to pay not only his own costs but the costs of the opposing litigant. There is no reason why the same rule should not apply to the Government of the United States. If the Government goes in and puts any party, the humblest party in the country, to the expense of litigation the Government ought to pay the costs just the same as anybody else pays it.

The Government does pay for the acts of its officers when people are hurt through the misconduct of its officers. Claims are presented week after week to the Committee on Claims, considered by the Committee on Claims, and reported favorably to this body and passed through the House of Representatives and become laws indemnifying people who have suffered because of the misconduct of officers of the Government. There is no reason why that should not be done in cases of litigation. When a powerful government goes to law with one of its citizens, it does not make any difference whether it is a private individual of the humblest class and standing in the country, or whether it is one of the subdivisions of the sovereignty of the country, as a State or a county, if it loses it ought to pay the costs as anybody else who loses pays the costs.

We go into Cuba and spend millions of dollars that are really unauthorized by law, and that sets a bad example and a bad precedent. We spend millions of dollars for expositions. I heard a discussion in this Chamber yesterday in which it was said a bad precedent had been set in the expenditure of \$28,000,000 for expositions. Surely if the Government can expend these sums for the pacification of a neighboring country like Cuba, or for the exposition of the material growth and strength and greatness of the country, it ought to pay this small pittance of a just claim against the Government; it ought not to be repudiated.

Of course if the motion shall prevail, and if the bill shall be recalled from the House, that is an end to it. Inasmuch as it has passed, as many other unobjected bills were passed day before yesterday, and as has been done during the sitting of this and previous Congresses, it seems to me it were better to leave it as it is.

I probably have a little more feeling in this matter than ordinarily, because when I was a young man, only 23 years of age, the county of Copiah gave the casting vote that made me the district attorney of that district, and I feel an interest in their recovering the sum of money which they have expended, and which justice demands shall be refunded. I urge the Senate not to recall the bill from the House.

Mr. FULTON. Mr. President—

Mr. PROCTOR. I rise to present the conference report on the agricultural appropriation bill.

Mr. PETTUS. I wish simply to ask the Senator from Oregon to state the attitude of the House toward all bills of the Senate allowing claims.

The VICE-PRESIDENT. The Senator from Vermont has risen to present a conference report. After its consideration is concluded the Chair will recognize the Senator from Oregon.

Mr. FULTON. I will explain the attitude of the committee then.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 24815, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 13, 44, 45, 50, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 46, 47, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 73, 81, 82, 83, 84, 85, 87, and 89; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "ninety-five thousand seven hundred and sixty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "one hundred and nineteen thousand two hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "and," insert "also;" and on page 34, in line 6, after the word "into," strike out the words "interstate or;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "officers," strike out the word "for" and insert in lieu thereof the word "of;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "Congress," insert the words "classified and;" and in the same line, after the word "detailed," insert the words "reports of all receipts by the Forest Service and classified and detailed;" and in line 11 of said amendment, after the word "receipt," insert "and there is hereby appropriated and made available, as the Secretary of Agriculture may direct, out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States;" and in line 26 of said amendment, after the word "sources," strike out the colon and the matter following down to and including the word "reserve" in line 30; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out, in addition to the matter inserted by the Senate; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF BIOLOGICAL SURVEY.

"Salaries, Bureau of Biological Survey: One biologist, who shall be Chief of Bureau, three thousand dollars; one clerk, class one, one thousand two hundred dollars; two clerks, at one thousand dollars each, two thousand dollars; one clerk, nine hundred dollars; one messenger or laborer, four hundred and eighty dollars; in all, seven thousand five hundred and eighty dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fifty-two thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"Nutrition investigations: To enable the Secretary of Agriculture to incur such expenses as may be necessary for the pack-

ing, transporting to, and storing in Washington, D. C., of all apparatus now the property of the Government and used in the nutrition investigations, five thousand dollars, or so much thereof as may be necessary."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million and thirteen thousand two hundred and twenty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twelve thousand three hundred and ninety dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seventy thousand and fifty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eight million six hundred and ninety-two thousand two hundred and ninety dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In line 9 of said amendment strike out the word "Government's" and insert in lieu thereof the word "Government;" and in line 10, after the word "as," strike out the word "a," and in the same line strike out the word "reserve" and in lieu thereof insert the word "reserves;" and the Senate agree to the same.

On page 40, in line 24, after the word "forests," insert the words "in the District of Columbia or elsewhere;" and the Senate agree to the same.

On amendments numbered 88 and 90 the committee of conference have been unable to agree.

REDFIELD PROCTOR,
H. C. HANSBROUGH,
F. M. SIMMONS,

Managers on the part of the Senate.

J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,

Managers on the part of the House.

Mr. ALDRICH. I should be glad if the chairman of the committee would explain to the Senate the fate of the various amendments that were put upon the bill in the Senate.

Mr. PROCTOR. Will the Senator from Rhode Island indicate the amendments in which he is interested?

Mr. ALDRICH. I am interested in the fate of the amendments in regard to the reports of receipts and estimates for expenditures required of the Secretary.

Mr. PROCTOR. All those were kept in, and in one point were strengthened. In the case of the Forestry Service the conferees added also a detailed report of receipts. Everything that the Senate put in was retained in that item.

Mr. ALDRICH. What became of the amendment moved by the Senator from Oregon which was inserted in the bill?

Mr. PROCTOR. That was retained except that the conferees made an addition.

Mr. CULLOM. I should like to inquire what became of the appropriation for the Biological Survey and whether it was retained.

Mr. PROCTOR. The provision for the organization was restored precisely as it was last year.

Mr. CULLOM. What about the appropriation?

Mr. PROCTOR. There was no increase in the appropriation. It was left just as it was last year.

Mr. LODGE. I thought that as the bill came from the House the service was retained, but the Bureau was abolished, and the office of Chief of Bureau was abolished.

Mr. PROCTOR. The conferees restored the Bureau.

Mr. LODGE. The Bureau is restored?

Mr. PROCTOR. It is restored just as it was last year. We omitted a clerk or two, I believe, in the way we restored it here.

Mr. LODGE. The Chief was restored?

Mr. PROCTOR. The Chief was restored. The whole organization was restored.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

Mr. PROCTOR. I move that the Senate further insist upon

amendments numbered 88 and 90, which were not agreed upon by the conferees and ask for a further conference with the House, the conferees to be appointed by the Chair.

Mr. GALLINGER. I will ask the Senator what amendments those were?

Mr. PROCTOR. Amendment numbered 88 is the one relating to agricultural colleges. The other is the matter of the total.

The VICE-PRESIDENT. The Senator from Vermont moves that the Senate further insist on its amendments numbered 88 and 90 and ask a further conference with the House of Representatives, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS as the conferees on the part of the Senate.

COPIAH COUNTY, MISS.

Mr. FULTON. I now renew my motion to recall from the House of Representatives the bill (H. R. 3518) for the relief of Copiah County, Miss. Perhaps, in view of what the Senator from Mississippi has said, I should explain briefly the character of the bill and why I wish to have it recalled.

The VICE-PRESIDENT. Is there objection to the Senator from Oregon making an explanation? The Chair hears none. The Senator from Oregon will proceed.

Mr. FULTON. It is true, Mr. President, as the Senator from Mississippi says, that the amount carried by the bill is small. But the precedent established by it may lead to very considerable appropriations in the future, and on principle I think the legislation is absolutely vicious. It is against the policy of the Government to assess costs in court cases against the Government, except in some exceptional instances, and I think all will agree that whenever costs shall be charged against the Government they shall be charged pursuant to some general rule established by law, and that the payment of costs ought not to depend upon special legislation in individual cases.

If we are going to charge the Government with costs in every case in which it engages in litigation, we should do so by a general rule that will apply to all litigants alike. We ought not to permit litigants to come into Congress and get through special bills paying costs in special cases, and that is what this bill does.

I do not want to go into the merits of the case at all. It is sufficient to say that, under the general law, litigants can not recover costs, and we ought not to provide for such a recovery by special legislation. Had I been here, I should have objected to the bill when it came up—not to its consideration, but to its passage—but being absent, and being the chairman of the committee from which the bill came—and it came against my protest—I felt it my duty to present the matter to the Senate and ask that it be recalled in order that it may be again considered.

The VICE-PRESIDENT. The question is on the motion of the Senator from Oregon [Mr. FULTON].

The motion was agreed to.

Mr. McLAURIN. Mr. President, I should like to inquire if this action on the part of the Senate merely recalls the bill from the other House?

The VICE-PRESIDENT. It merely recalls the bill from the other House. When the bill shall have been returned the question will be upon the motion to reconsider the vote by which the bill was passed.

Mr. McLAURIN. Can that question be put now, Mr. President?

The VICE-PRESIDENT. The question can not be put until the Senate is in control of the bill. The bill has passed out of the control of the Senate.

LEGALITY OF BUSINESS DONE BY EXPRESS COMPANIES.

Mr. BURKETT. I submit the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Whereas on January 4, 1907, at Kansas City, Mo., the Western Fruit Jobbers' Association, in convention assembled, charged that the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company are unlawfully engaged, especially in the West, in the business of buying, selling, and handling on consignment fruit, vegetables, and oysters, thus coming into direct competition with merchants and jobbers engaged in such business; that no such business is contemplated or sanctioned in their articles of incorporation, but is contrary to and in violation of the powers legally conferred upon them; that the trafficking in merchandise which they transport is an illegitimate business for express companies to engage in, and is destructive of the legitimate business of fruit jobbers and produce merchants; that it gives opportunity for covering up discriminations, the payment of rebates, and unlawful practices, and that said express companies have increased and are increasing their charges for the transportation of fruits,

produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, and consumers; and

Whereas the said Western Fruit Jobbers' Association, at the time and place mentioned, by resolutions duly adopted, not only condemned and denounced as injurious and unlawful the contest for business between express companies and merchants engaged in legitimate trade in fruit, produce, and oysters, but demanded that a vigorous and rigorous examination and investigation of the methods and practices adopted and in use by said express companies be instituted by Federal authority, to the end that accurate information may be obtained, abuses and discriminations corrected, and unlawful business prohibited: Therefore, be it

Resolved, That the Interstate Commerce Commission be, and is hereby, directed to inquire, investigate, and report to the Senate—

First. Whether the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company, or either of them, are unlawfully engaged, through their local or other agents, in the business of buying, selling, or handling on consignment fruits, vegetables, and oysters entering into interstate commerce.

Second. Whether such business is contemplated or sanctioned by the articles of incorporation of said express companies.

Third. Whether such business is carried on in violation of the provisions of the act to regulate interstate commerce.

Fourth. Whether the carrying on of such business by said express companies is inimical to or destructive of the legitimate business of fruit and produce merchants and gives an unfair advantage to the agents of said express companies, which is used by them to the disadvantage and detriment of legitimate shippers and receivers of fruit and produce.

Fifth. Whether the carrying on of such business gives to said express companies an opportunity to cover up discriminations, to pay rebates, and engage in other unlawful practices.

Sixth. Whether said express companies have increased and are increasing their charges for the transportation of fruits, produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, receivers, and consumers of such fruits, produce, and other merchandise.

Seventh. That the Interstate Commerce Commission be required to make the investigation at its earliest possible convenience and to report the facts and its conclusions thereon, together with its recommendations, as soon as it can be done, consistent with the performance of its public duty.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KEAN. I ask the Senator from Nebraska to let the resolution lie over for a day, because I wish to point out to him a great many inaccuracies in the statement contained in the resolution in regard to the companies named therein.

Mr. BURKETT. Very well. It is simply a resolution asking for certain information.

Mr. KEAN. Some of the companies to which the resolution refers are not corporations at all; they are not incorporated.

Mr. BURKETT. I am content that the resolution shall lie over.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

HOT SPRINGS RESERVATION, ARK.

Mr. CLARKE of Arkansas. I submit the resolution, which I send to the desk, and ask that it be referred to the Committee on Public Lands.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That a committee of three members of the Senate be appointed by the President of the Senate to make inquiry and take testimony in regard to the government of the permanent Hot Springs Reservation, in Arkansas, with respect particularly to the regulations of the Secretary of the Interior governing leases of water privileges, use of waters, and registration of physicians, and that it be, and hereby is, authorized to visit Hot Springs, Ark., to send for persons and papers and administer oaths and report thereon, by bill or otherwise.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas, that the resolution be referred to the Committee on Public Lands.

Mr. GALLINGER. Mr. President, as that resolution will involve an expenditure from the contingent fund of the Senate, it will have first to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. As stated by the Senator from New Hampshire, the resolution involving certain expenditures, it will be necessary first to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. CLARKE of Arkansas. I thought, as it was a matter relating to the Hot Springs Reservation and the Committee on Public Lands has charge of such matters, that the resolution should be referred to that committee; but the disposition suggested by the Senator from New Hampshire is entirely satisfactory to me.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

JOHN WALLER.

Mr. DEPEW. I ask unanimous consent for the present consideration of the bill (H. R. 6104) to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails.

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John Waller, late postmaster at Monticello, N. Y., \$426.25, to reimburse him for moneys expended in carrying the United States mails and for damages consequent therefrom.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-LAND LOCATIONS IN ALASKA.

Mr. FULTON. I ask unanimous consent for the present consideration of the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

The bill was up the other day and was passed over, not under objection, but by consent. It is a very important bill, and necessarily will have to be passed with an amendment, and it may probably require a conference. Therefore I hope it may now be acted upon.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon for the present consideration of the bill named by him?

Mr. NEWLANDS. I should like to have an opportunity to examine the bill, Mr. President.

The VICE-PRESIDENT. Is there objection?

Mr. NEWLANDS. For the present, I object.

The VICE-PRESIDENT. Objection is made.

CLAIMS OF POSTMASTERS IN THE STATES AND TERRITORIES.

Mr. DICK. I ask unanimous consent for the present consideration of Senate resolution No. 171, which was submitted by me on June 29, 1906, with reference to the claims of postmasters in the States and Territories.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to have stated in the Sixth Auditor's Office the salary accounts of former postmasters who served at post-offices in the various States and Territories of the United States in terms between July 1, 1864, and July 1, 1874, and who applied to the Postmaster-General, prior to January 1, 1887, for payment of increased salary under the act of March 3, 1883, such salary accounts to be stated upon the registered returns of each postmaster for each term of service specified, and by the method and rule laid down by the Postmaster-General for the statement and payment of salary accounts of former postmasters under the act of March 3, 1883, in his public order of February 16, 1884, directing payment of salaries by commissions and box rents, less the salaries paid at time of service; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim, and the Secretary of the Treasury is hereby directed to report to the Senate such stated salary accounts of former postmasters as soon as they can be made ready, not later than the beginning of the second session of the Fifty-ninth Congress.

Mr. DICK. I desire to modify the resolution by inserting, in line 2, on page 1, after the word "stated," the words "and audited;" in line 10, on page 2, after the word "postmasters," by inserting "by States;" in the same line, after the word "ready," by inserting "all claims to be reported;" in line 11, before the word "session," by inserting "first;" and in the same line, before the word "Congress," by striking out "Fifty-ninth" and inserting "Sixtieth."

The VICE-PRESIDENT. The resolution as modified by the Senator from Ohio will be read.

The Secretary read the resolution as modified, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to have stated and audited in the Sixth Auditor's Office the salary accounts of former postmasters who served at post-offices in the various States and Territories of the United States in terms between July 1, 1864, and July 1, 1874, and who applied to the Postmaster-General, prior to January 1, 1887, for payment of increased salary under the act of March 3, 1883, such salary accounts to be stated upon the registered returns of each postmaster for each term of service specified, and by the method and rule laid down by the Postmaster-General for the statement and payment of salary accounts of former postmasters under the act of March 3, 1883, in his public order of February 16, 1884, directing payment of salaries by commissions and box rents, less the salaries paid at time of service; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim; and the Secretary of the Treasury is hereby directed to report to the Senate such stated salary accounts of former postmasters, by States, as soon as they can be made ready, all claims to be reported not later than the beginning of the first session of the Sixtieth Congress.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. CULLOM. I believe that resolution covers the whole country, does it not?

Mr. FRYE. Yes; it covers all the States and Territories.

Mr. CULLOM. Very well.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

EDITH A. HAWLEY.

Mr. BULKELEY. I ask unanimous consent for the present consideration of the bill (S. 569) granting a pension to Edith A. Hawley.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Connecticut for the present consideration of the bill referred to by him?

Mr. McCUMBER. I have no objection to the present consideration of the bill, Mr. President. I wish to say, however, that it can not be discussed under the five-minute rule; but I have no objection to considering it as long as the Senate desires to consider it. It comes from the Committee on Pensions adversely reported.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BULKELEY. I desire to propose an amendment to the bill. In line 9, before the word "dollars," I move to strike out "one hundred" and insert "fifty."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 9, before the word "dollars," it is proposed to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edith A. Hawley, widow of Joseph R. Hawley, late a brigadier-general and brevet major-general, United States Volunteers, and brigadier-general, United States Army, retired, and pay her a pension at the rate of \$50 per month.

The amendment was agreed to.

Mr. BULKELEY. Mr. President, I do not desire at this moment to detain the Senate with any remarks unless there is opposition developed to the bill. If there is any opposition, I should like, at a later period, to make some remarks.

Mr. McCUMBER. Mr. President, there is perhaps no question relating to private pension matters that is more important than the question which is raised by this bill. I desire to call the attention of the Senate to the fact that this bill has been reported adversely by the unanimous vote, I believe, of the Senate Committee on Pensions. It is well for us to give a single thought to the one object of all special pension legislation.

We have general legislation which provides what any soldier shall receive for any wound; what he shall receive for any disability; what the widow of any officer shall receive, and when and under what conditions a pension will be granted. If, Mr. President, that law is not proper and sufficient, then we should change the law. If the law is proper and just, we should not change that law and for the benefit of a single individual. The object of creating the Pensions Committee, if I understand correctly, was to reach by special legislation those particular cases that could not justly be dealt with under the general legislation. That is its object.

Congress has been accused—I think somewhat unjustly—of applying the special pension provisions so as to benefit particular persons, who, it is said, have "a pull" with some member of the Senate or some Member of the House. It has been the desire and the continued effort of the Committee on Pensions to absolutely repel any such unjust accusation. We have tried to apply the special pension legislation to those cases, and to those cases only, where the party making application could show clearly and distinctly that his or her case was such that great destitution would follow except for special pension legislation.

When the widow of any officer has applied to the Pensions Committee for special consideration we have considered, first, the service of her husband; we have considered, secondly, her own age; and, thirdly, her financial condition. If it were found that her case was not such as would justify the committee in reporting favorably on the ground that destitution would result, except for the action of Congress, we have universally reported the case adversely, or, what is equivalent thereto, we have not reported it at all.

To take up a single case in which there is the least necessity for any legislation by Congress, and make that case a precedent for every other one of the cases that comes before Congress, Mr. President, is to open the door wide for every pension bill that comes before Congress; and if that is to be done we may as well abolish the Pension Bureau and make the Committees on Pensions of the two Houses the Bureau of Pensions for the Government of the United States.

Mr. President, I do not know that this matter is of very much moment to the Senate or to Senators. If it is, certainly I should like their attention to this attempt to invade and destroy the rules that have been adopted by the Pensions Committees of both Houses. When we had but a hundred or two or three hundred cases before the committee in a single session, it was probably not necessary to have rules that should govern each case;

but when, instead of coming in by the hundred we have before us perhaps from five to ten thousand cases during a session, it is quite necessary that we should lay down some rules to guide us in determining under what conditions and in what amount a pension will be granted in any particular case. We have had to adopt rules, which have been concurred in by both the Senate and the House Committees on Pensions. One of these rules is that an original pension shall never be granted beyond that sum which would be granted by the Department, supposing that death had occurred while the officer was in service. In this case, therefore, under the rules, the greatest amount of pension that could be allowed would be \$30 per month.

The second rule, which is the most important of all the rules, is that no pension will be granted where there is not a necessity for a pension. We have turned down case after case where the widow of a soldier showed that she had four or five or six or ten thousand dollars. The statement that comes before us in this case, upon the admitted testimony of the claimant in a letter, is that she values her property at \$50,000, much of which is in the stock of the Courant, a paper published in Connecticut, and the value of which, I think, has increased considerably in the last two or three years. But in any event it is admitted in this case that the value of the property is fully up to \$50,000, from which there is a constant income, reported by the claimant as being about \$2,400 a year.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. In this case, Mr. President, I was solicited to perform a friendly act; and I wrote Mrs. Hawley, asking her for a statement as to her financial condition, and she wrote me a letter, which I referred to the Committee on Pensions, in which she said that her entire property amounted to \$40,000. I will ask the Senator if he has subsequent and different information?

Mr. McCUMBER. I have her letter in which she places it at \$50,000.

Mr. GALLINGER. I simply recall the fact—

Mr. McCUMBER. I think it was \$40,000 in the Courant, and she had \$10,000 in addition that was invested, making \$50,000 in all.

Mr. GALLINGER. I think the Senator is mistaken about that, and I wish he would refer to his papers.

Mr. McCUMBER. The papers show that it is \$50,000. I have not got them here, because I did not know the case was coming up at this time.

Mr. President, I ask the Secretary to read the adverse report of the Committee on Pensions.

The VICE-PRESIDENT. Without objection, the Secretary will read the report.

The Secretary read the report submitted by Mr. McCUMBER on February 20, 1907, as follows:

The Committee on Pensions, to whom was referred the bill (S. 569) granting a pension to Edith A. Hawley, have examined the same and report:

This bill proposes to grant a pension of \$100 per month to Edith A. Hawley, widow of Joseph R. Hawley, late brigadier-general and brevet major-general, United States Volunteers, and brigadier-general, United States Army, retired.

General Hawley was born at Stewartville, N. C., October 31, 1826, and died in this city March 18, 1905, at the ripe old age of 78 years. He had a remarkable career both in civil and military life.

At the breaking out of the war he entered the Union Army as a captain, and subsequently became colonel and brigadier-general and brevet major-general of volunteers. He was honorably mustered out of the military service in January, 1866.

After the war General Hawley attained a high place in civil life. He became governor of Connecticut in 1866, and in 1872 was elected a Member of the National House of Representatives. He served several terms as a Member of Congress and later as United States Senator from Connecticut, his service expiring March 3, 1905. While a member of the Senate General Hawley served for fifteen years as chairman of the Committee on Military Affairs and exhibited unusual zeal in behalf of his old comrades.

Immediately after the expiration of his term as Senator he was, by act of Congress, placed on the retired list of the Army with the rank of brigadier-general.

General Hawley did not marry the claimant until late in life, namely, November 15, 1887. She is still in the prime of womanhood, being now about 55 years of age, and in good health. She can obtain no pension under existing laws, hence the effort to obtain one from Congress; and while your committee recognize the distinguished services of General Hawley, they do not believe that they are justified in recommending legislation in behalf of his widow.

It appears that Mrs. Hawley has considerable resources and is a woman of substantial means. According to her own statement she is possessed of \$50,000, well invested, yielding her an income of at least \$2,400 per year.

Mrs. Hawley therefore has no claim other than the services rendered by her husband, which the citizens of this great country can realize. It has, however, been the policy of your committee to recommend for pension only those cases in which the need for relief is urgent—those cases, in fact, in which the claimants have nothing at

all, and are in dependent circumstances. That this is the proper policy for Congress to pursue in the bestowal of its pension benefactions is obviously too true to admit of argument, and that Mrs. Hawley's case is not a proper one for Congressional action your committee believe to be equally well founded.

Mrs. Hawley has abundant means, left her by General Hawley, to care for herself. She is at present living in Europe, and is in no sense in need of any help from the Government.

Without discussing the high rate of pension proposed in the bill it is sufficient to say that your committee believe that it would be a very bad precedent to grant a pension to anyone situated as Mrs. Hawley is. It must be manifest to everyone that to add to the pension roll by special legislation those who are neither sick nor needy would be wholly contrary to the original purpose of the Government in granting pensions to its defenders, and would amount to an increase in the pension expenditures for which there would be no good and sufficient warrant and an injustice to every pensioner who is not the recipient of such special favor.

Your committee have had under consideration many cases far more meritorious than this one, cases in which the soldiers rendered equally long and highly distinguished service in the Army or Navy, leaving widows with considerably less substantial means than are present in this case. From the standpoint of service they possess equal merit and from the standpoint of financial condition they possess far greater merit than does this case. In none of these cases has favorable action been recommended, and to now grant it in the least meritorious case would justly subject not only the committee but the Congress to the charge of favoritism in its pension legislation.

Based upon the belief that this case is not a proper one for the action of your committee, the committee feel constrained to report the bill back adversely with the recommendation that it be indefinitely postponed.

Mr. McCUMBER. Mr. President, I presume that only the chairman of the Committee on Pensions can appreciate fully what a precedent means. I can give the Senate some idea of what it does mean. Every one of these pensions is scanned very carefully by every person who thinks that he or she is entitled to more than he or she is receiving from the Government as a pension, and the moment we allow one a greater sum than another receives under similar or like conditions, or the moment we grant to one where we fail to grant to another under like conditions, that moment every other one is before the committee with appeals to be placed exactly in the same position. A great many years ago, Mr. President—

Mr. MALLORY. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. Certainly.

Mr. MALLORY. Does Mrs. Hawley draw any pension at all now?

Mr. McCUMBER. She draws none at the present time.

Mr. MALLORY. Did General Hawley draw any pension?

Mr. McCUMBER. General Hawley did not draw a pension. A good many years ago quite an excessive pension was granted to Mrs. Logan, the widow of John A. Logan.

Mr. GALLINGER. And Mrs. Frank P. Blair.

Mr. McCUMBER. And Mrs. Frank P. Blair.

Mr. GALLINGER. Two thousand dollars each.

Mr. McCUMBER. Those cases have been brought to the committee again and again and by almost every widow who claims or desires to make a claim for Government assistance. They make it upon the ground that their husbands served as faithfully and were as good officers as the husbands of the widows named—and no one can deny that every soldier did his duty and that every general did the duty prescribed for him to do—and you can not meet those cases by any possibility except to acknowledge that the Senate and the House in their love for this or that veteran have gone beyond what would be strict justice, when we consider all of those who ought to have consideration by Congress.

Mr. President, the widow of the private soldier who married after 1890 receives no pension at all, no matter how poor she may be, no matter how destitute her circumstances may be, and yet we are asked to take up widows of officers, married about the same time—young women, practically, as we regard age in these days—and although they are wealthy as compared with the widows of privates, to give them from fifty to a hundred dollars a month. Every time you do that you do an injustice to every other widow. If we have a hundred soldiers, for instance, under like conditions, each of them entitled to \$30 a month, and we raise one of them to \$50 a month, by that very one act we are doing ninety-nine cases of rank injustice, and that is one of the things the Congress should guard against committing.

Mr. President, what is the financial condition of Mrs. Hawley? The very least that can be said is that her property is worth \$50,000. Whenever the time comes, if it ever does, that the widow of General Hawley is in reduced circumstances to the least extent, then she can come before the Congress, and Congress will do her justice. But so long as there is no necessity for this pension, so long as it can be said that it is given not to meet a necessitous condition, but as a compliment, then let us wait until the claimant comes within the rule. No one

will accord to General Hawley a higher rank as a soldier and as a citizen than I, and I am willing that the Senate should pass any resolution it may see fit, emblazoning to whatever extent it desires his virtues and his great generalship and his statesmanship. But if we are going to vote money merely as a matter of recognition of qualities, we can vote the whole Government bankrupt in a very short time.

But the principal objection, the one above all others that I have to urge against this bill, is, first, that there is no necessity of the pension from a financial standpoint. Secondly, it establishes a precedent which the committee would be forced to follow in the future. I have in my committee room to-day a vast number of applications for widows' pensions—widows of officers, widows who feel that the Government ought to support them. We have failed to report those bills favorably, because we felt that by reporting them favorably we would do a great injustice to many other widows who are exactly in like conditions and like circumstances.

At this time I can not fail to mention a growing sentiment in the United States on the part of the widows of officers—a sentiment that seems to be entirely wanting on the part of widows of privates who served the country in time of great need. I speak of it as a growing tendency, because the younger widows—those who have married lately, not the old widows who suffered during the war times, but the younger ones who have married since the eighties and the nineties—seem to feel that the Government owes them a living and should support them and their children absolutely merely because they married Army officers.

I can give an example which would perhaps illustrate this sentiment. Only last winter two women, both widows, came before me to express their feelings concerning the matter of pensions. One of them was the widow of a captain, I think. Proudly she swept up to the committee room and announced that the Government could not expect her to live on \$40 a month; that the Government owed her the duty of supporting her and caring for her in the manner in which she has been accustomed to live.

The very same day a poor widow of this city, about 70 years of age, who had received \$12 a month by a special pension bill, appeared before me and with tears coursing her old wrinkled face, thanked God for such a glorious and noble Government that would look after the widows of the old soldiers. One of them with a grateful heart for the little \$12 per month; the other demanding, as a matter of right, that she should receive more than \$40 a month. The one of them poor and needy; the other one in no need whatever. I deprecate the growing sentiment that the moment a woman marries an officer she becomes thereby entitled to the support of the Government of the United States and aid for the education of her children.

I had before me the other day a case where the pension which had been granted under the general law was \$30 per month. The letter which came to me from this widow stated—although she was married but a few years ago, being the wife of a soldier in the Philippine war, and had suffered none of the hardships of the old widows of the soldiers of the war of 1861 to 1865—that she thought she was entitled to a greater sum than \$30 per month, "because," she said, "I must now send my oldest daughter to school to educate her, and I desire to educate her as an artist." Ah, Mr. President, I thought that this good woman, for a good woman she is, ought to thank her God every morning that she saw the dollar drop into the plate from a generous Government and not expect that Government in addition to look after her and her children exclusively, so that no effort on her part would be required, and the only effort would be on the part of the Government to raise the taxes necessary.

Whenever you raise one of these persons beyond the law rating, I insist you are doing a great injustice to every one of the others. Let us take the case of Mrs. Hawley, a noble, true, generous woman. Fifty thousand dollars constitute her assets, according to a letter which I have. She is not living in the United States to-day. Her home is here, but to-day she is in Europe. She is living in Europe. She is able to travel and spend her summers and winters in Europe, and yet we are asked to appropriate \$50 a month for this woman—wealthy from the general standpoint of wealth in the United States—while many of the old women who in the years from 1861 to 1865 took care of their little brood while the husband was in the war, receive the bare pittance of \$8 a month. I for one shall never stand for such injustice, not only against every one of the widows of the war soldiers, but an injustice against the American people. It is an injustice whenever you pick out one of these widows and place her upon the pinnacle so much above the others that you must measure her standard by the standard of \$50 a month, when there is no necessity for the granting of the pension.

It is easy for Senators to feel that this does not amount to anything; that they will pass the bill in the Senate, and the committee will not be responsible for it. The committee is responsible for every injustice, and no injustice is greater than the injustice of unequal treatment. We are striving for equal treatment. We believe, and I firmly believe, that no person should receive the benefit of a special bill unless his condition is such that he would suffer without it, and that the duty of the Government is to shield these old men who fought for the country during the serious period between 1861 and 1865. I can not stand here and see injustice done to the widow of a single one of these old veterans by picking up the widow of some one, because we loved the general, and placing his widow so much above the others that every one of them can complain, and justly complain, of unjust and unequal treatment.

Mr. CLAPP. Is this subject to the point of order?

Mr. McCUMBER. No; I do not think it is subject to a point of order.

Mr. CLAPP. I meant to ask if it is not subject to objection to its present consideration.

Mr. McCUMBER. Yes; it is subject to objection as to present consideration.

Mr. SCOTT. Mr. President, I want to say—

Mr. McCUMBER. I desire to state finally that I will answer any question concerning this matter, but—

Mr. SCOTT. Give me a chance.

Mr. McCUMBER. I certainly will. The Senator has never been without an opportunity to express himself so far as I am concerned.

Mr. SCOTT. If objection is to be raised, I will not have the opportunity.

Mr. McCUMBER. Whenever the condition of Mrs. Hawley or the widow of any other general or private who served in the Army is such as to bring her within the rules, whenever it is necessary to guard against suffering in any manner, then she can come, and justly come, before Congress for assistance. But until that condition arises she ought not to come and ask for a pension which is not needed.

Mr. SCOTT. Mr. President, I have been very much interested in the very elaborate remarks of the Senator from North Dakota [Mr. McCUMBER], especially as he is chairman of the Committee on Pensions. I am glad to know that he has concluded that the proper thing to do is to be just and generous to a class of people in this country who are deserving of pensions. It is only a few weeks ago that I remember he brought in a minority report against a bill which I reported for the Army nurses, trying to get a pension for these grand old ladies who held a cup of cold water to the lips of the dying soldier, were he either Confederate or Union; who took the apron off her body and tied up his wounded limb; who administered to him on the battlefield, and sent the trinkets which were in his pocket home to the widow; to whom were dictated the last words of the dying boy to his mother. Yet this generous Senator from North Dakota brought in a minority report against pensioning these grand old women, when there are less than 400 of them, and many of them 80 and 90 years of age. I am glad that he has had a reversal of feeling, and that he is now willing to pension these poor widows and these nurses and those who are deserving, although he is not willing to pension the widows of general officers.

Mrs. Hawley has been more honest than a great many widows who have come before the Committee on Pensions since I have been on that committee. She has admitted the amount of property she owns. I have known other widows who, in order to secure a pension, have transferred their property to their daughters or their sons, in order that they might not have the property on account of which the Senator from North Dakota and others would refuse to give them a pension.

General Hawley served his country in the Army. He was a leader in the battles of his country, as much so almost as General Logan and General Sheridan. General Sheridan's widow gets \$2,500 a year pension. Mrs. Logan gets \$2,000 and has vastly more property than Mrs. Hawley. Mrs. Blair receives \$2,000. General Hawley was a member of this body for twenty-four years, I believe. Had he died while a member of this body his widow would have received \$5,000. The property that Mrs. Hawley has inherited by the death of her husband is a newspaper publication, and we all know how precarious that is. She has two daughters. Of course those daughters are entitled to one-third each of that property.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. SCOTT. Certainly.

Mr. GALLINGER. If the Senator will permit me, I will say that reference is made in the report of the committee to the

fact that General Hawley was placed on the retired list by the action of Congress. It is, I think, proper that it should go in the RECORD that he lived only long enough to draw one month's pay under that act.

The Senator from West Virginia will recall the fact, as he doubtless does, that in addition to Mrs. Sheridan receiving \$2,500 a year, Mrs. Logan and Mrs. Frank P. Blair receive \$2,000 a year each. And if the Senator should go back and examine the RECORD during the time when I was honored by holding the position of chairman of the Pensions Committee—and I think I tried as diligently to do justice as any man ever did in that place—he will find that there are scores and scores of widows of general officers who had no title to pension under the law who were placed on the pension roll at fifty or seventy-five dollars a month—soldiers very much less distinguished than General Hawley was either in military or civil life.

Mr. SCOTT. Mr. President, I am sure there is not a Senator or a citizen who has read history who is not convinced that General Hawley gave the better part of his life to the services of the Government of the United States, either in the capacity of soldier or legislator. I served with him on the Military Affairs Committee from the time I came to the Senate until he retired from this body. I had hoped when the other day this body was generous and honest enough to forget the past and give the widow of Stonewall Jackson a pension of \$20 a month, of which I heartily approved, for his services in the Mexican war, there would not be a voice raised against granting a pension to Mrs. Hawley.

I remember standing over in this grand cemetery of ours at Arlington a few years ago when three hundred and more bodies were brought back from Cuba for interment. The President of the United States and the Vice-President, who is now in the chair, attended. When we looked off and saw that grand monument to the Father of his Country, the beautiful river flowing past to the sea; when we approached these graves, by each of which was standing a casket wrapped with the flag of our country, and looking saw those boys from Texas, and Ohio, and Arkansas, and Maine, and Virginia, then, Mr. President, all the bitter feeling of fraternal strife was wiped out. I hope that this bill will pass without a dissenting voice, and the names of Mrs. Jackson and Mrs. Hawley placed alongside each other on the pension roll by the same Congress will show most effectually the era of good will and forgetfulness.

Mr. McCUMBER. Mr. President, the Senator from West Virginia speaks with some feeling about the minority report upon the nurses' bill which passed the other day. I think the Senator is not justified in the view that he has expressed here on the floor in reference to that bill. My report was based upon a principle on which I am willing to stand and stake my reputation as a man who has sympathy for the old soldier and the widow of the old soldier. I want to tell the Senator from West Virginia that while I reverence the nurse I still reverence the soldier who fought four years, and I considered it an injustice that when the man who stood in the ranks four years and fought was receiving \$12 a month the nurse who was there six months should receive \$25 a month. I do not stand for such inequality and injustice. When the Senator himself brought the bill down so that the nurses would receive exactly what the soldiers receive at the same age, there was not a voice in opposition to it. That inequality was the only opposition.

Mr. SCOTT. I had to do it in order to get the bill out of the committee.

Mr. McCUMBER. Certainly; for it would have been opposed here. Everyone I think who has a clear sense of equality of treatment would have been opposed to saying that the nurse who served six months is entitled to \$25 a month and the soldier who served forty-eight months is entitled to but ten and twelve.

Mr. SCOTT. I do not think the Senator wants to be misleading in his argument and to represent that the nurses served only six months. Many of them served three years, the same as soldiers did.

Mr. McCUMBER. The record will show that a great majority of them served one year. That is what the report shows, and the basis of the law is six months' service. They must have served six months in order to draw a pension. When the pension was reduced so that equal justice was done, then there was no objection to it whatever.

Mr. President, the nurses did a great deal for this country in those perilous days, but they did no more than most of the mothers and sisters during that same length of time. I say that the mother who had to bring up during those hard times of the civil war half a dozen little children and care for them while perhaps the only son was away in the Army and the father was away in the Army is entitled to just as much consideration as the nurses of the civil war. It was in behalf of the

great army of the widows of the brave soldiers of the civil war that I pleaded against the injustice of holding them down to \$8 a month while the nurses were placed at \$25 per month. The moment the bill was reduced to what was just and proper it found the unanimous support of all the members of the committee.

The Senator speaks of our pensioning the widow of General Jackson. We did, Mr. President, but how much? Twenty dollars a month, I think it is, or \$30. I think we passed it at \$30 or more and it was reduced to \$20, or it may have been reduced to \$30 in the House. I am not certain about that; but what was the showing? The showing before the committee was that she had no property whatever to amount to anything. That presents an entirely different case from that where the widow has half a hundred thousand dollars and is able to travel in Europe and over the country.

Mr. President, I am willing to join the Senate in any memorial it desires to pass as to the character and the services of General Hawley, but I am unwilling to take the widow, not a war widow by any means, but who was married in 1887, I think, and place her so much above all of the other widows of the officers and the widows of the private soldiers in that great struggle for the life of the nation that everyone must necessarily feel, if he has the pride of humanity in his heart, that they have been treated unjustly. And it is an unjust treatment.

Mr. President, I call attention to three provisions in the rules of the Committee on Pensions. I do not know how long these rules have been in existence, but they have been the rules of the committee since I have been a member of it, for at least eight years. Rule 5 reads:

RULE 5. Bills for increasing pensions which have been granted by the Bureau under the act of June 27, 1890, at less than \$12 per month will not be given consideration. The soldier must establish his title to and be granted the maximum rate provided by said act before applying to Congress. If it be shown that a claimant who is in receipt of pension at the maximum rate under that law is in absolutely destitute circumstances, or suffering from a permanent disability of an extreme nature, a bill proposing to grant additional pension may be favorably considered, and if a rejected claim exists under the general law, the equities in the latter claim will receive consideration in connection with the bill.

In speaking of the general law with reference to widows the rule reads:

No allowance of pension to widows will be recommended above the general-law rating, except in case of destitution or extreme physical disability, to be substantiated by competent testimony, and no original pension will be recommended in excess of the rating provided by the general law for a similar rank.

If there is anything that has been adopted as a rule and which necessarily had to be adopted as a rule, it was the question of destitution. Otherwise, as I have stated, we might as well make the Committee on Pensions the Bureau of Pensions and be done with it. It was intended to cover, I repeat, those cases where the general law, by reason of its generality, would not reach and do justice in specific cases and where great suffering would ensue except for timely intervention by a bill in Congress. Under this rule it has been our custom to require everyone, widows of officers and others, to make a showing before the Bureau, and to make such a showing as that they would be entitled to receive the \$12 per month or the \$8 per month under the law of 1890. That would establish at least the financial condition of the widows, and having established it in a better manner than we can, beyond any question, that such widow did not have an income beyond \$250 per year, we then took up the case and granted the extra amount that would in any way relieve her destitution.

While we have not drawn the line absolutely between the widow of the private and the widow of a general as to what constitutes destitution, the doubts and the differences always being resolved in favor of the widow, that what might be destitution for the widow of the general might not be destitution for the widow of the common soldier, so far as I myself am personally concerned I have tried to make that distinction just as small as possible, and were it in my power I am willing to say that I would make no difference, but that destitution should mean exactly the same in one case that it means in the other.

Mr. GALLINGER. Mr. President, I will occupy a very few minutes' time in the discussion of this bill, which was introduced by the senior Senator from Connecticut [Mr. BULKELEY] on the 5th day of December, 1905, and has been in the Committee on Pensions from that time until a few days ago.

I appreciate the difficulties that the Senator from North Dakota has to deal with in administering the affairs of the committee over which he so ably presides. I was there myself for several years, and I know that it is a difficult and perplexing business.

I want to say, in the first place, that it is a late day for any Senator to argue against precedents in reference to pension

legislation. Our statute books are full of acts that are different from all that preceded them, and they make precedents; but we acted upon those, as we thought, wisely, and I am not at all alarmed to-day at establishing a precedent in reference to private pension legislation in this body.

I only wish that this bill might have been brought before Congress at an early day, either adversely or otherwise, so that we might have had some hope of its being enacted into law before this Congress terminates.

It is, Mr. President, a matter of profound regret to me that this debate has occurred. It seems to me that it is a very poor tribute to the memory of one of the bravest soldiers and most distinguished public servants this country has ever known. I think the memory of General Hawley deserves a better fate. But the bill is here, and we have got to deal with it as best we can.

While I was chairman of the Committee on Pensions scores and scores and scores of bills were passed for the widows of general officers at \$50 a month, some of them at \$75, and some of them at \$100 or over. As has been suggested, there are several precedents where we have given \$2,000 a year, and in one case \$2,500 a year, on no better claim, as a matter of fact, than there is in this case. Those widows had property; but their husbands had rendered conspicuous service to the country, and we recognized it in that way.

I am glad, Mr. President, that the Senator from West Virginia has said a word on this question. The Senator from North Dakota was mistaken when he stated that the Committee on Pensions was unanimous in this matter, because the Senator from West Virginia, himself a distinguished soldier, is a member of that committee.

Mr. McCUMBER. I said I thought they were unanimous, and I corrected it when the Senator from West Virginia said that he was in favor of it.

Mr. GALLINGER. I am afraid, Mr. President, that this case never was very fully brought to the attention of the Committee on Pensions.

Mr. McCUMBER. On the contrary, I want to correct the Senator and state that it was before the committee time and again.

Mr. GALLINGER. Well, Mr. President, that is probably so, but my information has been somewhat different from that; but we will let that go. I say I am very glad the Senator from West Virginia, himself a very distinguished soldier, a member of the committee, has spoken with the earnestness that he has, and I am glad that he recognizes that the paltry sum proposed to be given to Mrs. Hawley is only a partial recognition for the services not only that General Hawley rendered, but that she rendered as the wife of General Hawley.

Mr. President, those of us who remember that man—great as a soldier, great as a private citizen, and great as a member of this body during the long term of twenty-four years—those of us who remember that man for the last year of his life as he tottered in and out of this Chamber can well understand what that devoted wife, herself in her early life a trained nurse, did to make his last years years of comparative ease and of comfort.

I know something about it, because I have been in that home. I have seen that woman caring for him on the street, caring for him as she would for a child, and I am not going to stand upon a technicality in this case, nor am I going to be frightened because of a possible precedent that may be established.

When Mrs. Hawley married General Hawley she found one child in the household. She took care of that child as though it was her own. She bore children to General Hawley and cared for them, and she is now trying to care for them; trying to educate them. Who says that that cultured woman, the wife of that great man, should not be placed in a position where she can educate those children and put them in a position in life where they may do credit to her and to her lost husband?

I do not blame the Senator from North Dakota at all for the position he takes if he feels that it is his conscientious duty to do so, but I do say, Mr. President, that we ought to act generously in this matter, and that we ought not to be frightened by any fear of precedents or of doing what the Senator from North Dakota thinks is an injustice.

The VICE-PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal

uses by mixture with suitable denaturing materials," approved June 7, 1906.

Mr. HANSBROUGH. I hardly feel justified in having the unfinished business laid aside. I understand that other Senators desire to address the Senate on the pending measure.

Mr. GALLINGER. It will take but a very little while. I am about through.

Mr. HANSBROUGH. If the speeches are few and of a brief nature and we can get the unfinished business before the Senate within a reasonable time I will consent that it may be laid aside temporarily.

The VICE-PRESIDENT. Without objection, the unfinished business will be laid aside temporarily. The Senator from New Hampshire will proceed.

Mr. GALLINGER. I have but a word to add, Mr. President. The Senator from North Dakota has called attention to the fact that women who married soldiers after the act of June 27, 1890, are not pensionable under that law. That is true, so far as that one act is concerned. They are pensionable under the general law, and we have taken scores and hundreds of those cases and passed special acts in their behalf, and they are on the pension roll to-day.

So this is not an innovation. It is true that the proposed pension is a little larger than has been granted to widows of private soldiers, and why should it not be?

Mr. BLACKBURN. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. Certainly.

Mr. BLACKBURN. I do not desire, Mr. President, nor purpose to prolong the debate upon the bill, but it occurred to me that probably I should say a word.

I served for a long while as a member of the Committee on Military Affairs while General Hawley was its chairman. I am personally cognizant of the devotion and care that he received at the hands of his wife during the last years of his life when his condition was especially and peculiarly helpless.

Further, Mr. President, I am prompted by reason of the reflection that General Hawley and myself served on opposite sides during the civil war. I most cordially indorse everything that has been said on his behalf. I agree thoroughly with the sentiments expressed by the Senator from New Hampshire [Mr. GALLINGER], and I sincerely trust that the Senate will with the same unanimity with which it passed the bill that made him an exception to the rule in placing him upon the retired list extend the same kindly treatment to the surviving widow.

Mr. GALLINGER. I have only to add, Mr. President, that had General Hawley applied for a pension himself he could have drawn many thousands of dollars from the Treasury of the United States. He did not do that.

Another circumstance worthy of mention is that General Hawley was placed on the retired list and lived to draw only one month's salary. Again, he died very shortly after leaving the Senate. Had he remained here a little while longer his wife would have received the gratuity that is always given by Congress to the wives of deceased Representatives and Senators.

Now, Mr. President, I think the circumstances all justify us in voting for the bill. I should be glad to vote for it unamended, but the Senator from Connecticut [Mr. BULKELEY] has moved to reduce the amount from \$100 to \$50. I trust there may be practical unanimity in passing the bill and doing justice to the devoted woman who gave some of the best years of her life to caring for this man who did such conspicuous service to the country, both on the battlefield and in the Senate Chamber.

Mr. PETTUS. Mr. President, I served under General Hawley for a couple of years upon the Committee on Military Affairs, and I want to say in answer to the Senator in charge of the pension bills that this is no extension of the precedent. There is one case that I recollect, where a brigadier-general's widow, married long after the war, without any children by her last marriage, received first \$50 and then \$75. This is allowed to the widow of General Hull.

Mr. SPOONER. Mr. President, only a word.

I pay to the Senator from North Dakota, chairman of the Committee on Pensions, tribute of my respectful admiration for the manner in which he has conducted the business of that committee. He has given to it not only assiduity, but a large measure of kindness and justice and the discrimination which he felt the general public interest required. I want to say, in a sentence, that I think there never has been at the head of that committee a Senator whose duty has been more faithfully and ably discharged, and it is in many ways a thankless duty.

Situated as the Senator from North Dakota is as chairman of that committee, dealing, as he is obliged to, with thousands of claims which must be rejected and dealing with thou-

sands which are granted, I can understand that there must be rules limiting the cases in which relief will be awarded and also limiting the amounts to be awarded. I can realize how anxious that Senator is that rules shall be carefully observed and that precedents shall not be permitted to break over them.

But, Mr. President, while the Senator from North Dakota is not only a just man but is a very generous man, he must remember that all rules have their exceptions. While there may be, and doubtless is, more of mathematical reasoning and more of cold logic in the position and discussion of this matter by the Senator from North Dakota than in that of those who favor the bill, nevertheless, upon reasons partly logical and partly sentimental, this exception to the rule ought to be justified.

When I listened to the Senator from North Dakota, whose tribute to General Hawley and his services was a generous one, I could not exclude from my memory General Hawley as I knew him and served with him here. To save my life I could not keep from looking for a face which I can not see and listening for a voice which I can not hear. I saw him again standing in the Senate in his place heard him again pleading in trumpet tones over and over again for relief for the comrades of the war, and their orphans and their widows. He seemed to regard all soldiers of honorable service as his bunk mates almost.

General Hawley was a general officer. He was five years in the Army, and during the five years General Hawley was in the Army, if he had been less patriotic, if he, with his great ability, his positive genius, had remained at home and devoted himself to the upbuilding of a business and to the conservation of purely selfish interests, he would have been a man beyond need for himself or his family ever of anything from the public Treasury.

When I left the Senate in 1891, not having been here long enough to quite disable me from some indulgences, I had three riding horses of which I was fond and which I would not sell, but was quite willing to give away. I offered one to General Hawley. This was long ago, when he was strong, Mr. President, when there was timbre in his voice. A strong, chivalrous gentleman he always was. He thanked me with tears in his eyes, and said to me: "I have not money enough to pay for his keep; give him to some Senator who is able to take care of him."

Mr. President, a private soldier offers his life and so does the general offer his life under the flag. But there is a great difference in the status of the two. The private soldier obeys orders. The general is responsible for the command, for success, and it is impossible and it always has been regarded as impossible to treat the two, each being absolutely meritorious, upon exactly the same basis.

I can not myself forget that during a great many years he served the public here at a salary not in the slightest commensurate with the work which he performed and the service which he rendered.

We gave, as has been stated, to the widow of Gen. John A. Logan, who in addition to long and splendid military service had long service in the Senate, a pension. We have given to the widows of other officers pensions, in exceptional cases, as General Hawley's case is an exceptional one.

The Senator from North Dakota refers to the fact that Mrs. Hawley and the daughters are able to travel abroad and now live in Europe. I doubt not that it is with her as it is with many whom some of us have known, that she lives abroad because she can afford there on smaller income the mode of life to which she has been fairly accustomed, and secure there the instruction required by her daughters which here would be more expensive than she could permit.

I have not been thinking of Mrs. Hawley; I have been thinking of General Hawley; I have been thinking of Senator Hawley; I have been thinking of the splendid soldier, Mr. President, and the loyal, devoted, eloquent, broad-minded Senator; and I would not be willing, if a vote of mine could prevent it, that his widow should be obliged to come here *in forma pauperis* knocking at the door of the Chamber in which he sat for so many years an honored and faithful Senator. The country owes more than that to the memory of General Hawley for his services in the field in defense of the Union.

Mr. President, his daughters, upon whom he bestowed the accumulated love, which, although it was in his heart for children, had been denied to his home until late in life—we should have some care for them. It is not enough, speaking in such a case and upon such a subject, that they should be decently clad; that they have food. It is due, Mr. President, to the memory of such a man, who rendered so great and long-continued service, that they should be so educated as to fit them for the position to which they were born and in which it was the prayer of his heart they might during their lives remain.

Something has been said about General Hawley being placed

on the retired list. I have some doubt if he realized for two consecutive hours that Congress had passed that act, because we all know that the palsy of brain and of body had almost shut him out from keen interest in the affairs of the world.

It is an exceptional case. The American people are a sentimental people, and they will feel, and so will the soldiers feel, and so will the right-minded widows of soldiers feel, Mr. President, that the right thing for Congress, all things considered, is to grant this \$50 a month to General Hawley's widow. Some day they will build a monument of marble to him in this capital that will cost twenty-five or thirty thousand dollars. It would be the irony of fate if his memory is so decorated, as it should be, that the daughters of his love should have been wanting in provision for which those of us, however poor we may be, struggle and pray for our loved ones.

There is much in what the Senator from North Dakota says. While his general reasoning is correct and while his attitude justifies no impeachment either of his sense of justice or his generosity, I can not but feel, Mr. President, that this is one of those cases which ought to be regarded as an exception to the rules of the Committees on Pensions of both Houses, which are wise and necessary rules, and that where we have made so many exceptions hitherto we ought not to draw the line on the widow and the orphan children of Gen. Joseph R. Hawley.

I shall vote for this pension, which I understand has been agreed shall be reduced in amount to \$50 a month.

Mr. McCUMBER. Mr. President, I thank the Senator from Wisconsin [Mr. SPOONER] for the kind compliments he has given me. I can not but contrast them somewhat with the statement that was made by the Senator from West Virginia [Mr. SCOTT].

Whatever in error may have been done in the Committee on Pensions, it has been an error of the mind and not an error of the heart. If there has been any one thing which I have tried to do justly and rightly, it has been to secure as nearly exact justice as it was possible to secure under the conditions.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. In a moment.

But the effort to secure justice has never been so great as has been the effort to prevent injustice. I have tried to do both faithfully and honestly.

Mr. PATTERSON. Mr. President, I have served here on the Pensions Committee, of which the Senator from North Dakota [Mr. McCUMBER] is chairman, and the report which he has made and the effort he is making, and very properly making, is precisely what I had expected from that Senator in this case, and should expect from him in any similar case. I discovered very early in my service that the Senator from North Dakota had fixed and definite rules for the guidance of his conduct as chairman of the Pensions Committee, and that those rules were based upon his sense of justice. I discovered that whenever any pension bill was under consideration, whether of a public nature or of a private nature, his conduct was always gauged by his sense of patriotism, by a deep tenderness of feeling, but, above all and beyond all, by a sense of justice to all, having in mind the widow of the private soldier as well as the widow of the officer. That he should make this report and say what he has said on the floor of the Senate in opposition to the granting of this pension was what any Senator who has been familiar with the rules of conduct which have guided him as chairman of the committee was led to expect and must have expected.

Say what one will, there is a spice of favoritism in the bill that I expect to vote for. The close association of Senators with General Hawley for so many years, the personal knowledge that they have of his services to the country and of his family relations, do, whether sensibly or insensibly, swerve them in his favor and in favor of the woman, his widow, who survives him. The chairman of the Committee on Pensions, I know much to his regret and to a certain extent doing violence to the tenderness of his heart, has felt constrained that he may be consistent, that no improper precedent may be set to guide or control the future action of the committee or of the Senate, to take the course that he has.

I doubt, Mr. President, if there ever has been a chairman of the Pensions Committee who has served it and served the country more zealously, conscientiously, and justly than has the Senator from North Dakota. It is a great committee. Millions of dollars must be disbursed annually through the action of that committee. New claims will be placed upon the statute books against the Government through the action of that committee; and the Senator from North Dakota has ever realized the responsibilities that have rested upon him by virtue of his position, and has always fearlessly observed those responsibilities,

and has endeavored to enforce his convictions upon the floor of the Senate. While in all human probability the sentiment of tender sympathy that pervades this body for such a member as was General Hawley, having in mind his Senatorial services, his services in other civil positions, and his services upon the field, will lead Senators to vote for this bill, it is no reflection whatever upon the Senator from North Dakota; and the action he has taken in opposition meets my entire approval.

Mr. CARMACK. Mr. President, I supported the position taken by the chairman of the Committee on Pensions [Mr. McCUMBER] in committee, and I shall support his position upon the floor.

I believe, Mr. President, we are about to take action that will establish a dangerous precedent. Senators speak of this as an exception—a justifiable exception to a rule—but in matters of legislation an exception often becomes a rule. I think the proper question to be inquired into here, and which should govern every pension case, is whether or not there is such a state of need or destitution as to justify the granting of a pension. Such a condition does not exist in this case. The chairman of the committee has simply taken and upheld the position he has upheld in all like cases.

I want to say, Mr. President, that, as chairman of that committee, the Senator from North Dakota has never, under any circumstances, permitted himself to be guided by mere matters of sentiment and influenced thereby to violate a salutary rule, and if this Senate shall do that in this case, I believe it will simply show that the chairman of the Committee on Pensions is wiser than the Senate.

I know that the chairman of the committee feels just as I do, that if he should be guided by his sentiments and his feelings alone he would vote for this pension. I do not believe, Mr. President, simply because General Hawley was a Senator of the United States and served in this body with Senators who are now here that we are justified in making such an exception in this case. I shall therefore vote against the bill.

Mr. DANIEL. Mr. President, a few sentences will suffice to state my views respecting this bill. There is no rule of the Senate that applies to it. There is a rule observed by the committee for itself which in no wise affects either the right or the propriety of any action which the Senate may deem proper to take.

I regard this not only as an exceptional case, but a rarely exceptional case. General Hawley gave the vigor of his whole life to the service of his country, first in war and then in peace. He was a conspicuous, a brave, and an able soldier, who underwent the hardships of war from beginning to end and brought out of the war an honored and respected name. When the war was over he was connected for many years with most important public affairs, and rendered long, faithful, diligent, and distinguished service.

We are all moved more or less by our feelings and sentiments. I do not think that the world is worse that we are so moved. They introduce into our conduct that equity of consideration that can never be bound up in any ironclad rule.

After being an important figure in a great strife, General Hawley had upon his shoulders, as chairman of the Committee on Military Affairs of this body, a most onerous burden to bear with respect to the Army of the United States, to its organization, and to the many details that apply to military affairs. He had that high and responsible position during the Spanish war, and the labors entailed upon him were as important as they were numerous and heavy. It was within that time, or shortly afterwards, that his health broke down, no doubt in considerable measure from the assiduity and fidelity with which he had discharged his public duties.

Service with him here in the Senate enabled us to be witnesses of the eye and witnesses of the ear and witnesses of the understanding to the great services that he rendered to his people, and if, under the convictions of wisdom and respect, we may be also moved in some degree by our regard for the man, surely it is no offense against any worthy interest of this country or against the best traits of human nature.

But were it a cold proposition, one of mere calculation, according to the facts, which bespeak themselves, this is a rarely exceptional case, which will make no ill precedent if it be applied to cases of the same order and description.

The speech of the Senator from North Dakota [Mr. McCUMBER] was a noble and worthy speech. It bespoke the just opinions which belong to one who is charged with the duties which he has to perform as chairman of the Committee on Pensions. The concurrence in his opinion of the distinguished Senator from Tennessee [Mr. CARMACK] is of the same order. Sitting as judges on the committee they treat all alike, and having made a rule for themselves they abide it. Their

speeches are logical if their premises be recognized. But their rules do not bind us. We are differently situated. I do not recognize that in treating with the concerns of a nation which involve great careers of prolonged, unusual, and extraordinary service you can ever embrace the principles which should govern them in any severe rule, or one that should not properly yield to the dignity of a particular case and of particular service.

I had rather indulged the hope, Mr. President, that this bill might pass with unanimity as a tribute to one who spent his whole life, not in the pursuit of self-advantage, who did not seek the rewards which come from fortune, and who, instead of making money his object, was controlled and governed throughout by a patriotism which is a worthy example to all who may follow him. If the principle which shall rule those of us in giving an affirmative vote to this bill shall be in all cases observed, no harm can befall the Republic.

Mr. BULKELEY. Mr. President, in asking the Senate to take up and consider and pass the bill which is now pending I did not intend to antagonize in any way the general rules laid down by the Pensions Committee for their guidance in the consideration of pension cases. The four or five thousand cases which we have before us at every session of Congress are all special cases and are passed upon by the committee and by the Congress on their merits. The beneficiaries under the pending bill are the widow and, indirectly, the children of the late Gen. Joseph R. Hawley. He was a distinguished citizen of Connecticut in his earlier life. He was the first soldier in Connecticut to sign the roll under the call for troops in April, 1861, and I saw him in the uniform of a private as he entered the ranks in my own State. He was promoted to a captaincy and went into the field with the first company of three-months' troops from my native State. At the expiration of his term of service he returned to his State and immediately reenlisted under the command of our great general, Alfred H. Terry, in the formation of the celebrated fighting Seventh Connecticut Regiment as its lieutenant-colonel, rising from a lieutenant-colonelcy by reason of his merit to the command of his regiment, and afterwards to the star of a brigadier, and then retiring after almost five years of service in the Army in January, 1866, with the brevet rank and the stars of a major-general.

By retiring from military life he never left the public service. He was at once the choice of the people of Connecticut for the governorship of that State. For three terms he was elected to the lower branch of Congress. He was president of the great Centennial Exposition, in Philadelphia, in 1876, and for four terms he served his State and the nation faithfully in this branch of Congress.

The Senate needs no justification, I take it, for the action which I have asked in the passage of this bill. The comrades in arms of General Hawley will need no justification for the action proposed, except his own record in his country's service, which I hold in my hand, as taken from the files of the War Department and furnished me by The Military Secretary. It is a most honorable record of a gallant soldier and of his five years' participation in the great struggle in which the country was engaged from 1861 to 1865, and I ask permission to have it printed in the RECORD, without reading, as a part of my remarks.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, permission is granted.

The record referred to is as follows:

WAR DEPARTMENT, THE MILITARY SECRETARY'S OFFICE.

Statement of the military service of Brevet Maj. Gen. Joseph R. Hawley, late captain, First Connecticut Infantry; colonel Seventh Connecticut Infantry, and brigadier-general of United States Volunteers.

Joseph R. Hawley was mustered into service at New Haven, Conn., April 22, 1861, as captain Company A, First Connecticut Infantry Volunteers, to serve three months, and was mustered out of service as captain with his company July 13, 1861. Captain Hawley is not reported absent from his command during this service. The regiment was attached to the First Brigade, First Division, Army of Northeastern Virginia.

He was again mustered into service at New Haven, Conn., September 17, 1861, as lieutenant-colonel Seventh Connecticut Infantry Volunteers, to serve three years, and as colonel same regiment to date June 20, 1862. Under the provisions of the act of Congress approved June 3, 1864, and the acts amendatory thereof, he is considered by this Department as commissioned to the grade of colonel Seventh Connecticut Volunteers, to take effect from May 19, 1862, vice Alfred H. Terry, promoted.

This regiment left New Haven for Washington in September, 1861, and was assigned to and formed a part of the expeditionary corps under Brig. Gen. T. W. Sherman which sailed from Annapolis, Md., in the latter part of October, 1861, arriving at Port Royal, S. C., November 4, 1861.

Colonel Hawley appears to have been present with his command until July 29, 1862, when he was ordered north on recruiting service. He returned and reassumed command of his regiment at Hilton Head, S. C., September 5, 1862, and remained in command of it until September 13, 1863, being for a portion of the time (namely, from May 12, 1863, to about August 18, 1863) also in command of the post at St.

Augustine, Fla., where a part of the regiment was stationed. On September 13, 1863, he was assigned to the command of the Third Brigade, United States forces, at Morris Island, South Carolina, and remained in command of that brigade until October 14, 1863, when his regiment was ordered to St. Helena Island, South Carolina. From October 14, 1863, to February 4, 1864, he was in command of the "post and United States forces" at St. Helena Island. On February 4, 1864, he was assigned to the command of the brigade known as "Hawley's brigade," attached to the Florida expeditionary forces commanded by Brig. Gen. T. Seymour, and thereafter, until September, 1864, held brigade commands (with rank of colonel) as follows:

February 4 to 26, 1864, Hawley's brigade; February 26 to April, 1864, Second Brigade, Ames's division, Tenth Army Corps (this brigade was transferred to Virginia about April 17, 1864); April 23 to May 7, 1864, Third Brigade, First Division, Tenth Army Corps; May 8 to September, 1864, Second Brigade, First Division, Tenth Army Corps. On September 12, 1864, at the request of Gen. A. H. Terry, commanding the division, he was ordered to Connecticut on recruiting service and in charge of enlisted men.

On September 13, 1864, he was appointed brigadier-general of volunteers, to rank from the same date, and accepted the appointment on September 17, 1864. On October 12, 1864, he returned from recruiting service and reassumed command of the Second Brigade, First Division, Tenth Army Corps, and continued in command of that brigade until November 1, 1864, except from October 20 to 28, 1864, when he was temporarily in command of the Third Division, Tenth Army Corps. On November 1, 1864, General Hawley was placed in command of a provisional division, which was ordered to New York City during the Presidential election of November 8, 1864. The troops composing the division embarked at Port Monroe November 3, 1864; arrived at New York November 6, 1864; reembarked November 14 and 15, 1864, and arrived at their former station near Deep Bottom, Virginia, November 17, 1864.

General Hawley's subsequent commands were as follows:

November 17 to December 2, 1864, Second Brigade, First Division, Tenth Army Corps; December 3, 1864, to January 1, 1865, Second Brigade, First Division, Twenty-fourth Army Corps; January 1 to February 1, 1865, First Division, Twenty-fourth Army Corps; February 17 to March 1, 1865, chief of staff United States forces at Fort Fisher, N. C.; March 1, 1865, to June 23, 1865, district of Wilmington, N. C.; July 5, 1865, to October 28, 1865, chief of staff department of Virginia.

In General Orders, No. 135, from the War Department, Adjutant-General's office, dated August 24, 1865, it was announced that, by direction of the President, Brig. Gen. Joseph R. Hawley was thereby honorably mustered out of the service of the United States, his services being no longer needed. In Special Orders, No. 468, from the War Department, Adjutant-General's office, dated August 30, 1865, it was announced that so much of General Orders, No. 135, from the War Department, Adjutant-General's office, dated August 24, 1865, as mustered Brigadier-General Hawley out of service was thereby revoked.

On October 28, 1865, he was relieved from duty as chief of staff Department of Virginia, and ordered to his home, thence to report by letter, and was mustered out and honorably discharged the service as brigadier-general of volunteers, to date from January 15, 1866, in General Orders, No. 168, War Department, Adjutant-General's office, dated December 28, 1865.

He was brevetted major-general, United States Volunteers, to date from September 28, 1865, "for gallant and meritorious services during the war."

During his service General Hawley participated in battles and actions as follows:

As captain, First Connecticut Infantry (three months) Volunteers: Battle of Bull Run, Virginia, July 21, 1861.

As lieutenant-colonel and colonel, Seventh Connecticut Infantry Volunteers: Action at Fort Pulaski, Ga., April 10 and 11, 1862; battle at Secessionville, on James Island, South Carolina, June 16, 1862; action at St. Johns Bluff, Florida, October 2, 1862, and action at Coosawatchie, on the Pocotaligo River, South Carolina, October 22, 1863.

As colonel, Seventh Connecticut Infantry, in command of a brigade: Battle of Olustee, Fla., February 20, 1864, and in actions at Chester Station, Virginia, May 10, 1864; south side of the James, May 14, 1864; Palmers Creek, near Drewrys Bluff, Va., May 13 to 16, 1864; Bermuda Hundred, Va., May 27 and June 2, 1864; in front of Petersburg, Va., June 9, 1864, and Deep Bottom, or Deep Run, Virginia, August 14, 15, 16, and 18, 1864.

As brigadier-general of volunteers: Actions at Darbytown road, Virginia, October 13, 27, and 28, 1864.

General Hawley's conduct at the battle of Bull Run, Virginia, July 21, 1861 (when he was serving as captain, First Connecticut Infantry), was favorably commented upon by Col. E. D. Keyes, Eleventh Infantry, who commanded in that battle the First Brigade, First Division, of the Army of Northeastern Virginia. In his report, dated July 25, 1861, Colonel Keyes says:

"I observed the activity of Captains Hawley and * * * on the field."

General Hawley is also favorably mentioned in the report, dated March 25, 1864, of Brig. Gen. T. Seymour, commanding the Florida expeditionary forces, of the action at Olustee, Fla., February 20, 1864.

General Seymour says: "Colonels Hawley and —, also commanding brigades, conducted their troops with great personal intelligence and valor."

Following are copies of and extracts from letters and indorsements found on file, in which the promotion of Colonel Hawley to the grade of brigadier-general and brevet major-general of volunteers is recommended:

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
Hartford, February 2, 1863.

TO ABRAHAM LINCOLN,
President of the United States.

SIR: Permit me to commend to your favorable consideration Col. Joseph R. Hawley, of the Seventh Regiment Connecticut Volunteers, as an officer well qualified for the appointment of brigadier-general of volunteers.

Colonel Hawley raised the first company organized in this State to suppress the rebellion, has risen by his merits to his present position, and shown himself equal to every emergency and capable of bearing every responsibility which has been placed upon him. He is a gentleman of high reputation and unexceptionable character, of un-

tiring energy, whose whole soul is engaged in overwhelming the enemies of the Government.

With high consideration, I am, your obedient servant,
WILLIAM A. BUCKINGHAM.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., February 26, 1864.

TO THE ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

SIR: In compliance with your request of the 29th ultimo, I have the honor to commend for promotion to the brevet of brigadier-general the following-named colonels serving in this department:

* * * * *

Fifth. Col. J. R. Hawley, Seventh Connecticut Volunteers, for meritorious services generally and for conspicuous gallantry at the fight at Olustee, Fla., February 20, 1864.

* * * * *

Very respectfully, your obedient servant,
Q. A. GILLMORE,
Major-General Commanding.

HEADQUARTERS, DISTRICT OF FLORIDA, DEPARTMENT SOUTH,
Jacksonville, Fla., March 3, 1864.

Maj. Gen. Q. A. GILLMORE,
Commanding Department South.

SIR: I have the honor to recommend for advancement Col. J. R. Hawley, Seventh Connecticut Volunteers, an officer whose previous reputation in this Department has always been so high for intelligence and good conduct as to have entitled him to and to procure for him recommendations for advancement from other officers than myself.

Colonel Hawley commanded a brigade at Olustee February 20, and his good conduct in this severe battle was such as justly to confirm all previous action in his favor.

And I therefore respectfully urge for him the honor that is believed to be his due.

Very respectfully, General, your most obedient servant,
T. SEYMOUR,
Brigadier-General, Commanding.

[Indorsement.]

Respectfully forwarded to the Adjutant-General of the Army, approved and urgently recommended. Colonel Hawley's promotion to a brevet of brigadier-general is requested. Colonel Hawley was recommended for a brevet of brigadier-general in my letter to the Adjutant-General of the Army of February 26.

Q. A. GILLMORE, Major-General.
Headquarters, Department South,
Hilton Head, S. C., March 12, 1864.

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
Norwich, April 20, 1864.

SIR: Permit me to call your attention to the merits of Col. J. R. Hawley, Seventh Connecticut Volunteers, for whose promotion application has been made.

He is a large hearted, thoroughly honest, and earnestly patriotic man. Abandoning an influential editorial position, he has from the commencement of the rebellion given himself to the service, being a captain in the three months' and a colonel in a three years' regiment now reenlisted. He has always shown himself a sagacious, brave, and efficient officer. Held in such high estimation at home that, unsolicited by himself, he received an honorable appointment of delegate at large to the Baltimore convention, and so esteemed in the field that he is trusted by his superiors and honored by his subordinates. I am confident you never will regret his promotion. If he can not be promoted at present, I would earnestly request, if it can be done, that he may be brevetted a brigadier-general.

I am, with high regard and esteem, your obedient servant,
WM. A. BUCKINGHAM,
Governor of Connecticut.

ABRAHAM LINCOLN,
President of the United States.

STATE OF CONNECTICUT,
New Haven, May 18, 1864.

HIS EXCELLENCY ABRAHAM LINCOLN,
President of the United States:

The undersigned, State officers, members of the general assembly, and other citizens of the State of Connecticut, beg leave to ask at the hands of Your Excellency the nomination of Joseph R. Hawley, of Hartford, in said State, now colonel of the Seventh Regiment of Connecticut Volunteers, for the commission of a brigadier-general of volunteers.

Colonel Hawley has been in the volunteer service of his country from the beginning of the war, and is now acting brigadier in General Butler's army, Terry's division, Tenth Army Corps, Gillmore commanding.

Sumter fell on Saturday. On the Monday following his was among the first names in the first company that was that day raised and the first in the State tendered to the governor for the defense of the country.

First chosen first lieutenant and then captain, he led his company into the first fight of the war, and on that disastrous day his commanding and courageous "steady boys" kept his line unbroken and brought them off with honor from the field.

Having served out his term he raised another company at once, without asking for promotion, but was thereupon made lieutenant-colonel of the Seventh Connecticut Volunteers, and on the promotion of Colonel Terry became its commanding officer.

The Seventh Connecticut has written its own eulogy on the history of this war, and its well-earned fame it gladly shares with its beloved commander.

Thus Colonel Hawley has been in the service from the start, and for most of the time as commander of a regiment or brigade. His tried coolness, bravery, ability, and good conduct in the camp and in the field have marked him as a soldier of no common merit and one eminently fit for the commission asked by his fellow-citizens to be conferred upon him.

His part in the bloody contests of Bull Run, Pulaski, James Island, Morris Island, Pocotaligo, and Olustee has made for him a most honorable record.

Connecticut takes a just pride in her heroic sons, living and dead, and feels it to be a pleasant duty to promote the advancement of her young men, who are among the truest and bravest, and thus furnish them with a new stimulus for emulating the deeds of her distinguished names who have fallen in the defense of their country.

Signed by the governor, lieutenant-governor, and other State officials and 55 others, members of the State senate and house of representatives, including the speaker of the house.

HEADQUARTERS FIRST DIVISION, TENTH ARMY CORPS,
Bermuda Hundred, May 29, 1864.

WILLIAM FAXON, Esq., Washington, D. C.

MY DEAR SIR: I know that you need no prompting to do all in your power for Joe Hawley's advancement or advantage, and yet I have his promotion so much at heart that I can not forbear writing to you to urge that his friends in Washington should make strenuous effort to secure it. To an "outsider" it would seem that a member of the Cabinet must have the power to secure the promotion of an officer of such undeniable ability and brilliant services. I know that Mr. Welles is very friendly to Hawley. I know also his delicacy about asking for appointments for his friends, but can not be induced in this instance to abandon his usual rule and ask earnestly that this long-delayed justice shall be done?

Would it be of use for me to write to Mr. Welles on the subject? Is there anything that we can do here that would be likely to forward the matter?

Please let me hear from you as soon as may suit your convenience.

In the meantime believe me to be, very sincerely, yours,
ALFRED H. TERRY.

WASHINGTON, June 15, 1864.

His Excellency ABRAHAM LINCOLN,
President of the United States.

SIR: I have the honor to forward to you the accompanying recommendations of Col. Joseph R. Hawley for the office of brigadier-general of volunteers. To these recommendations I wish to add my cordial indorsement and to say that, in my judgment, he has honestly earned and fairly deserves his promotion.

I am, very respectfully, your obedient servant,
HENRY C. DEMING.

His Excellency ABRAHAM LINCOLN.

SIR: Please forgive me for inclosing this slip for your perusal. Col. Joseph R. Hawley has served his country nobly, having been in the Army since the commencement of the war.

His name was the first down in Connecticut in answer to your first call. He served as captain during the three months' service. Immediately upon returning he recruited a company for the three years' service, and his was the first company to go into camp in that service in the State. He was appointed lieutenant-colonel of the Seventh Connecticut, was long since made its colonel, and has now for many months had command of a brigade.

I have heard Governor Buckingham and many other Connecticut gentlemen lament his nonpromotion.

My husband, as you well know, don't like to interfere too much in Army appointments. He has spoken on this subject often to you and also to the Secretary of War. He feels very desirous to see so good a patriot and able military man as Colonel Hawley has proved himself receive the promotion he has nobly earned.

Please excuse my boldness and think of this—it will be a just act. I would not presume to address you on such a subject did I not so well know the feelings of wise men in the matter.

With great respect, always your friend,

Mrs. GIDEON WELLES.

June 27, 1864.

[Indorsement.]

Submitted to the Secretary of War and General Halleck.

A. LINCOLN.

June 28, 1864.

HEADQUARTERS FIRST DIVISION TENTH ARMY CORPS,
Bermuda Hundred, Va., July 12, 1864.

Hon. GIDEON WELLES,
Secretary of the Navy.

DEAR SIR: May I venture to address you for the purpose of asking your active interference in behalf of the promotion of our friend Colonel Hawley? I know that you entertain a high opinion of, and sentiments of friendship for him, and perhaps I should assume that every effort in his behalf which your position permits you to make has already been made, but as I do not know this to be the case, and as it seems to me that the influence of a member of the Cabinet, energetically exercised in favor of one who has been so strongly recommended as he has been, of one who possesses such undoubted qualifications, of one who by his services has so fully earned the reward could scarcely fail to secure his promotion, I respectfully ask that such influence may be exercised. I am well aware that I need say nothing to you of Colonel Hawley's general ability, of his honorable character, or of his sincere, unselfish patriotism, but I have served with him for three years and I probably am better acquainted than anyone else with his military capacity and with the facts upon which his claims to promotion rest. I will therefore hastily sketch his military career.

Immediately after the fall of Sumter he raised a company for the First Connecticut Volunteers, and was elected its captain. In this capacity he participated in the summer campaign, receiving official notice of his conduct at the first battle of Bull Run. His regiment was mustered out of service in August, 1861, and he immediately raised a company for the Seventh Connecticut Regiment. Of this regiment he was appointed lieutenant-colonel, and he accompanied it to South Carolina as a part of General Sherman's expedition.

Soon after the capture of Port Royal his regiment was sent to Tybee Island and upon it devolved a very large part of the labor of the siege of Pulaski. During the bombardment of the fort Colonel Hawley was constantly in the trenches, and he rendered valuable service.

In May, 1862, a vacancy having occurred in the colonelcy of the regiment, Colonel Hawley was promoted to fill it. In the following June the regiment took part in General Benham's operations on James Island, and he led it with conspicuous gallantry in the unfortunate assault on Fort Lamar.

On the 22d of October of the same year he commanded his regiment

at the battle of Pocotalgio and received very honorable mention of his good conduct in the reports of his commanding officers.

In January, 1863, he was assigned to the command of Fernandina, Fla. This post was a difficult one to govern as it was a mongrel population of contrabands, loyal and semiloyal refugees, and covert rebels, and it had fallen into a bad and disorderly state under the colonel's predecessor. After he took command matters speedily changed their aspect, and the post became one of the most quiet and orderly in the department. Such a high degree of administrative ability did he evince that when similar difficulties arose at St. Augustine he was transferred to that place for the purpose of effecting similar reforms. Equally good results followed in his new command.

In June, 1863, four companies of his regiment under the lieutenant-colonel formed part of General Gillmore's forces when he moved on Charleston. These companies led the attack on Morris Island July 10 and also the assault on Wagner July 11. Immediately after the commencement of the operation Colonel Hawley earnestly solicited General Gillmore to permit him to join him with the remainder of his regiment. In accordance with his request he was ordered to Morris Island, where he remained sometimes in command of his regiment and sometimes in command of a brigade until the close of the siege.

For his services there and elsewhere he was recommended by General Gillmore for promotion.

When the expedition to Florida was undertaken last winter he was placed in command of one of General Seymour's brigades. During the whole of that affair he commanded it with marked ability. His conduct at Olustee is spoken of as beyond praise. In the language of a brother officer, "If there was any glory in that fight it belonged to Hawley."

When the Tenth Corps was reorganized prior to coming to Virginia General Gillmore brigaded his troops with special reference to making him the senior officer in one of the brigades, and consequently its commander. With his brigade thus constituted he has taken part in all General Butler's operations in this vicinity, and he still commands it. At the battle of Drury's Bluff he displayed most distinguished courage and ability, repulsing with his troops four distinct and separate assaults of the enemy.

Of his capacity as a regimental commander, let the reputation of his regiment, universally acknowledged to be the best in the corps, speak. Of his capacity as a brigade commander, the fact that the organization of the corps was specially arranged so as to give him such a position while many colonels senior to him commanded regiments only is a sufficient proof.

Not content with merely fulfilling his routine duties, he has been an industrious student, and to-day is better read and better informed as a soldier than a large proportion of those of our officers who have been regularly bred to the profession of arms. With his whole heart in the cause and eminently conscientious in the discharge of his duty, he has been and is a most faithful and valuable servant of the Government.

It seems to me that such a man should not be left without the usual reward of such services and that the promotion which has been given to so many who were his inferiors, both in rank and service, should not be denied to him.

I have heard that the name of Colonel Stedman, of the Eleventh Connecticut, has been mentioned for promotion. I believe that Colonel Stedman is a good officer, but I am sure that neither his merit nor services will bear comparison with Colonel Hawley's, and I most sincerely hope that Hawley may be spared the mortification which he would feel were his junior to be promoted over him. I have written at great length and I fear that I have trespassed on both your time and patience, but I have thought that perhaps you were not aware how strong Colonel Hawley's claims are, and I could not do even this meager justice to the subject in fewer words.

Permit me to congratulate you on the splendid success of the *Kear-sarge*, and to subscribe myself,

Very respectfully, your friend and obedient servant,

ALFRED H. TERRY.

WASHINGTON, July 16, 1864.

SIR: I beg leave to submit to you a letter from General Terry in behalf of Col. Joseph R. Hawley, to whose merits I have on former occasions called your attention.

All that is said in his favor by General Terry I would fully indorse. I have known him intimately for ten years and know of no one who has been more devoted to the cause in which we are all interested than Colonel Hawley. He volunteered at the very beginning and has continued in active service since. The governor and others earnestly desire his promotion; his friends have seen others of less merit and capability promoted, and they feel extremely solicitous, as you will perceive by General Terry's letter, that his worth and services should be recognized.

It is, I believe, the only instance where I have asked this distinction, and this I have preferred on separate occasions, with others, because I know the honor could not be more worthily bestowed.

Very respectfully,

GIDEON WELLES.

His Excellency A. LINCOLN.

[Indorsement.]

I believe Mr. Welles has never had a brigadier-general on his recommendation. I wish this appointment made so soon as it can be with consistency.

July 18, 1864.

A. LINCOLN.

111 REMSEN STREET, Brooklyn, N. Y., July 23, 1864.

THE ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

SIR: I have the honor to call the attention of the Department to my recommendation now on file in your office of certain colonels of volunteers for the brevet of brigadier-general. The letter of recommendation is not now before me, but I desire particularly to call attention to the merits of

Col. Joseph R. Hawley, Seventh Connecticut Volunteers, * * * all officers of great merit and of long and faithful service.

I am not aware that any of my recommendations for brevets have received favorable action.

Very respectfully, your obedient servant,

Q. A. GILLMORE, Major-General.

HEADQUARTERS FIRST DIVISION,
TENTH ARMY CORPS,
Before Petersburg, Va., August 16, 1864.

Lieut. Col. E. W. SMITH,
Acting Adjutant-General, Tenth Army Corps.

COLONEL: I have the honor to recommend that Col. Joseph R. Hawley, of the Seventh Regiment Connecticut Volunteers, who now commands and since the organization of the corps has commanded the Second brigade of this division, be promoted to the rank of brigadier-general for his distinguished gallantry at the battle of Deep Run on the 16th instant.

During the whole of the present campaign Colonel Hawley has rendered most efficient service. At the battle of Drury's Bluff his brigade repulsed four distinct assaults from greatly superior numbers of the enemy, and at Deep Run, although suffering from illness which made every movement painful to him and which would have kept many men from the field, he led his brigade in the charge upon the enemy's works, and when they were carried advanced beyond them and successfully engaged the heavy masses which were soon concentrated upon us. On this occasion, as well as in every action in which he has been engaged, he has set a splendid example of courage and devotion to the service of his country; an example which is eminently deserving of recognition and reward.

I am, Colonel, very respectfully, your obedient servant,
ALFRED H. TERRY,
Brigadier-General, U. S. Volunteers.
[First indorsement.]

HEADQUARTERS TENTH ARMY CORPS,
Before Petersburg, Va., September 7, 1864.

Respectfully forwarded; earnestly recommended.
D. B. BIRNEY, Major-General.

[Second indorsement.]

The promotion of Colonel Hawley is most deserved, and it will be beneficial to the service that he should receive his brevet to a command which he has actually and gallantly exercised for many months.

BENJ. F. BUTLER,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, July 15, 1865.

Hon. E. M. STANTON,
Secretary of War.

SIR: I respectfully but earnestly recommend that the following-named officers be promoted for faithful and efficient service during the war and for gallant conduct in the field, viz:

Brig. Gen. J. R. Hawley, United States Volunteers, to be major-general by brevet.

Much of the service of these officers has been under my personal observation, and I make this recommendation in the belief that the promotion which I ask for them has been fully earned by meritorious conduct.

I have the honor to be, sir, very respectfully, your obedient servant,
ALFRED H. TERRY,
Major-General, Commanding.

[First indorsement.]

Approved and respectfully forwarded to the Secretary of War.
U. S. GRANT,
Lieutenant-General.

HEADQUARTERS ARMY OF THE UNITED STATES,
October 19, 1865.

[Second indorsement.]

Approved.
E. M. STANTON,
Secretary of War.

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
Norwich, September 22, 1865.

SIR: I would respectfully ask you to give Brig. Gen. Joseph R. Hawley, chief of the staff of Maj. Gen. A. H. Terry, now at Richmond, the brevet promotion of major-general.

General Hawley's name stands first on the roll of Connecticut volunteers. He raised the first company in the State that entered the service for the purpose of suppressing the rebellion and went as a lieutenant. He has voluntarily been in some of the severest battles and in some of the most responsible positions, where he has ever proved able to meet the highest expectations of his friends. In integrity and high character he is unimpeachable and is one of the most fearless, earnest, able and judicious advocates of the rights of man in New England. His brevet promotion would, I feel confident, be right.

With high regard, your obedient servant,
WILLIAM A. BUCKINGHAM,
Governor of Connecticut.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

Official statement furnished to Mr. R. W. Thompson, clerk, Committee on Military Affairs, United States Senate, January 31, 1905.
By authority of the Secretary of War:

F. C. AINSWORTH,
Major-General, U. S. A., The Military Secretary.

JOSEPH ROSWELL HAWLEY.

Joseph Roswell Hawley, of Hartford, Conn., was born at Stewartsville, Richmond County, N. C., October 31, 1826; graduated from Hamilton College, New York, in 1847; admitted to the bar in 1850 at Hartford, Conn.; practiced law six and a half years; became editor of the Hartford Evening Press in February, 1857, which, in 1867, was consolidated with the Hartford Courant, of which he became editor; enlisted in the Union Army as a captain April 18, 1861; became brigadier and brevet major general; mustered out January 15, 1866; elected governor of Connecticut in April, 1866; delegate to the free-soil national convention of 1852; Presidential elector in 1868; president of the Republican national conventions of 1872, 1876, and 1880; president of the United States Centennial Commission from its organization in March, 1873, to the completion of the work of the Centennial Exposition; trustee of Hamilton College; received the degree of doctor of laws

from Hamilton College, Yale University, and Trinity College; elected in November, 1872, a Representative to the Forty-second Congress to fill a vacancy caused by the death of J. L. Strong; reelected to the Forty-third and Forty-sixth Congresses; elected to the United States Senate as a Republican to succeed William W. Eaton, Democrat; took his seat March 4, 1881; reelected in 1887, 1893, and 1899. His last term expired March 3, 1905. Brigadier-general, United States Army, retired, by authority of special act of Congress. Died March 18, 1905, at Washington, D. C.

Mr. BULKELEY. Without detaining the Senate any longer, I merely wish to say that to this good woman, who for fifteen years or more of the latter part of General Hawley's life was his devoted and faithful wife and in his declining years ministered to his every want, we owe, for his sake, I believe, not as a compliment, but as an expression of gratitude to him and for her services to him, the small pittance which we are asking for in this bill.

Mr. President, in my opinion the passage of this bill will furnish no precedent other than to follow the precedents that have long been established by this body and by Congress. I hold in my hand a list furnished me by the Pension Bureau of about 200 widows of gallant soldiers, who, by special acts of Congress, are receiving to-day pensions from \$200 and more down to \$50 per month. This bill will add another name to this royal list of women who are deserving as well of the Congress and the country as their distinguished husbands who served so gallantly during the war.

Mr. GALLINGER. I trust the Senator will put that list in the RECORD.

Mr. BULKELEY. I ask that the list may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, permission is granted.

The list referred to is as follows:

List showing the names and amounts of pension of all widows now pensioned at and above the rate of \$50 per month.

Name of widow.	Name of soldier or sailor.	Rank.	Rate per month.
Garfield, Lucretia R.	James A.	President of United States	\$416.66
Sheridan, Irene Rucker	Philip H.	General	203.33
Blair, Apolline A.	Francis P.	Major-general	166.66
Logan, Mary S.	John A.	do	166.66
Anderson, Eliza B.	Robert	Brigadier-general	100.00
Banks, Mary Palmer	Nathaniel P.	do	100.00
Corse, Frances	John M.	Brevet major-general	100.00
Custer, Elizabeth C.	George A.	Major-General	100.00
Doubleday, Mary	Abner	do	100.00
Gibson, Fanny Moale	John	do	100.00
Gresham, Matilda	Walter Q.	Brigadier-general	100.00
Hartnaff, Sallie D.	John F.	Major-general	100.00
Kilpatrick, Louisa Vde.	Judson	do	100.00
Mower, Betsey A.	Joseph A.	Colonel	100.00
Nicholson, Mary Heap	James W. A.	Admiral	100.00
Ricketts, Frances A. P.	James B.	Major-general	100.00
Shields, Mary A.	James	Brigadier-general	100.00
Stannard, Emily J.	George J.	do	100.00
Wallen, Laura L.	Henry D.	Lieutenant-colonel and colonel	100.00
Warren, Emily F.	Gouverneur K.	Major-general	100.00
Whitaker, Henrietta O.	Walter C.	Colonel and brigadier-general	100.00
Wilkes, Mary	Charles	Admiral	100.00
Ayers, Juliet Opie H.	Romeyn B.	Colonel and brigadier-general	75.00
Blunt, Nancy C.	James G.	Major-general	75.00
Cogswell, Eva D.	William	Brigadier-general	75.00
Ewing, Ellen C.	Thomas	Brevet major-general	75.00
Milroy, Mary J.	Robert H.	Major-general	75.00
Plummer, Frances H.	Joseph B.	Brigadier-general	75.00
Dulany, Jane	William	Colonel	72.00
Alexander, Eveline M.	Andrew J.	Lieutenant-colonel	50.00
Alexander, Eliza J.	Francis	Lieutenant	50.00
Alexander, Sallie R.	Thomas L.	Lieutenant-colonel	50.00
Arnold, Abby P.	Richard	Brigadier-general	50.00
Baker, Margaret T.	Samuel H.	Commander	50.00
Barnes, Mary T.	Joseph K.	Surgeon-General	50.00
Bedel, Mary A.	John	Brigadier-general	50.00
Benham, E. A. (Mrs.)	Henry W.	General, U. S. Engineers	50.00
Berry, Almira M.	Hiram G.	Major-general	50.00
Birney, Maria A.	David	do	50.00
Blaisdell, Mary A.	William	Colonel and brigadier-general	50.00
Blake, Margaret A.	George A. H.	Colonel	50.00
Bleeker, Sarah R.	John V. B.	Paymaster, U. S. Navy	50.00
Boggs, Henrietta E.	Charles S.	Rear-admiral	50.00
Boughton, Celeste A.	Horace	Brevet brigadier-general	50.00
Breese, Martha I. C.	Kidder R.	Captain	50.00
Brannon, Eva W.	John M.	Brigadier-general	50.00
Brent, Jane D.	Thomas L.	Captain	50.00
Buell, Rochie B.	George P.	General	50.00
Burns, Priscilla R.	William W.	Brigadier-general	50.00
Carr, Mary Gould	Joseph B.	Brigadier and brevet major-general	50.00
Casey, Emma W.	Thomas L.	Brigadier-general and Chief of Engineers	50.00
Clements, Mary I. R.	Bennett A.	Surgeon	50.00
Clendennin, Sophia D.	David R.	Major	50.00
Crane, Sarah N.	Charles H.	Surgeon-General	50.00
Creighton, Elizabeth W.	Blakely	Rear-admiral	50.00
Crocker, Charlotte D.	Marcellus M.	Brigadier-general	50.00
Cushing, Katherine L.	William B.	Commander, U. S. N.	50.00
Dallas, Mary B.	Alexander J.	Captain	50.00
Dana, Frances T.	William Starr	Commander	50.00
Dandridge, Betty T.	W. W. S. Bliss	Lieutenant-colonel	50.00

List showing the names and amounts of pension of all widows now pensioned at and above the rate of \$50 per month—Continued.

Name of widow.	Name of soldier or sailor.	Rank.	Rate per month.
Davidson, Clara B.	John W.	Brigadier-general	\$50.00
Davis, Fannie L.	John Lee	Rear-admiral	50.00
Donaldson, Harriet E.	Edward	do	50.00
Duncan, Julia Jones.	Samuel A.	Brevet major-general	50.00
Duryee, Caroline E.	Abraham	Brigadier-general	50.00
Dustin, Elmina E.	Daniel	Colonel	50.00
Eastman, Mary A. L.	Robert L.	Captain and brevet major	50.00
Edes, Grace F.	Benjamin L.	Lieutenant-commander	50.00
Elliott, Valeria B.	Washington L.	Lieutenant-colonel	50.00
Emory, Matilda W.	William H.	Major-general	50.00
English, Elizabeth M.	Earl	Rear-admiral	50.00
Enochs, Annis H.	William H.	Lieutenant-colonel and brevet brigadier-general	50.00
Ewing, Virginia L. M.	Charles	Captain	50.00
Fairfax, Josephine F.	Donald McN.	Rear-admiral	50.00
Foster, Anna J.	John G.	Major-general	50.00
Lawton, Mamie Craig.	Henry W.	Lieutenant-colonel, U. S. A., and major-general, U. S. V., Mar. 1, 1901.	50.00
Frailley, Eliza H.	James M.	Commander	50.00
Gibson, Martha M.	William H.	Colonel and brevet brigadier-general	50.00
Gibson, Mary M.	William	Commander	50.00
Goodfellow, Eleanor B.	Henry	Major and judge-advocate	50.00
Greene, Mary A.	S. Dana	Commander	50.00
Gregg, Harriet C.	John Irvin	Brevet major-general and colonel	50.00
Guest, Anna J.	John	Commodore	50.00
Hamilton, Sophia J.	Charles S.	Major-general	50.00
Heckman, Eliza Craig.	John Irvin	Brigadier-general	50.00
Hough, Caroline A.	John	do	50.00
Hunt, Mary B.	Henry J.	Brevet major-general	50.00
Jackson, Patsy	James S.	Brigadier-general	50.00
Jameson, Julia A.	Charles D.	do	50.00
Jardine, Catharine R.	Edward	do	50.00
Jeffers, Lucy L. G.	William N.	Lieutenant	50.00
Johnson, Elvira L.	Philip C.	Commodore	50.00
Johnson, Sue B.	Hilbert M. L.	Colonel and brevet brigadier-general	50.00
Jones, Frederica B.	Roger	Brigadier and inspector-general	50.00
Kautz, Fannie.	August V.	Brigadier-general	50.00
Kiernan, Harriet J.	James L.	do	50.00
King, Matilda C.	John H.	Colonel and brevet major-general	50.00
Kelley, Mary C.	Benjamin F.	Brevet major-general	50.00
Kelton, Josephine P.	John C.	Brigadier-general	50.00
Kennon, Britannia W.	Beverly	Captain	50.00
De Kraft, Elizabeth S.	John C. P.	Commander and rear-admiral	50.00
Lardner, Ellen	James L.	Rear-admiral	50.00
Lawler, Elizabeth H.	Michael K.	Brigadier-general	50.00
Lee, Elizabeth R.	Samuel P.	Major and brevet lieutenant-colonel	50.00
Leggett, Weltha Post.	Mortimer D.	Major-general	50.00
Le Roy, Mary B.	William E.	Rear-admiral	50.00
Lovell, Margaret J.	Charles S.	Brigadier-general	50.00
Lyman, Catina	William C.	Assistant surgeon	50.00
McAllister, Amelia H.	Julian	Colonel, Ordnance Department	50.00
McCauley, Elsie Alden.	Charles G.	Colonel commandant U. S. Marine Corps.	50.00
McKean, Sarah P.	Thomas J.	Brigadier-general	50.00
McKeever, Mary F.	Isaac	Captain	50.00
McKibbin, Marion	David B.	Colonel and brevet brigadier-general	50.00
McNeil, Martha	John	Brigadier and brevet major-general	50.00
Maecoun, Harvey E.	Robert T.	Surgeon	50.00
Macomb, Anne R.	John N.	Colonel	50.00
Mallery, Helen M.	Garrick	Captain and brevet lieutenant-colonel	50.00
Marchand, Margaret D.	John B.	Commander	50.00
Meagher, Elizabeth M. J.	Thomas F.	Brigadier-general	50.00
Middleton, Elida J.	Edward	Rear-admiral	50.00
Mitchell, Jennie S.	Robert B.	Brigadier-general	50.00
Morrow, Isabella	Henry A.	Colonel and brevet major-general	50.00
Mullaney, Jennie H.	J. R. Madison	Commander	50.00
Mulligan, Marian A.	James A.	Colonel	50.00
Murray, Florence	Alexander	Rear-admiral	50.00
Newton, Anna M.	John	Major-general and brigadier-general	50.00
Nichols, Clara L.	William A.	Colonel and brevet major-general	50.00
Nields, Rebecca P.	Henry C.	Lieutenant-commander	50.00
Noyes, Margarette B.	Edward F.	Colonel	50.00
Poe, Eleanor Carroll.	Orlando M.	do	50.00
Potter, Alice K.	Joseph H.	Brigadier-general	50.00
Platt, Theodora M.	Benjamin M.	Captain and assistant adjutant-general	50.00
Quackenbush, Cynthia H.	Stephen P.	Rear-admiral	50.00
Radford, Mary L.	William	do	50.00
Rice, Louise M.	Samuel A.	Brigadier-general	50.00
Scott, Elizabeth G.	Robert N.	Lieutenant-colonel	50.00
Scott, Julia T.	Gustavus H.	Lieutenant	50.00
Semmes, Mary M.	Alexander A.	Commander	50.00
Simon, Rebecca E.	William J.	Surgeon, ranking lieutenant-commander	50.00
Skerrett, Margaret L.	Joseph S.	Rear-admiral	50.00
Slocum, Abby J.	John S.	Colonel	50.00
Smith, Lena D.	Green Clay	Brigadier-general	50.00
Smith, Margaret F.	William	Commodore	50.00
Smyth, Amanda M.	Thomas A.	Brigadier-general	50.00

List showing the names and amounts of pension of all widows now pensioned at and above the rate of \$50 per month—Continued.

Name of widow.	Name of soldier or sailor.	Rank.	Rate per month.
Spencer, William L. (Mrs.).	George E.	Colonel	\$50.00
Spotts, Elizabeth H.	James H.	Rear-admiral	50.00
Starkweather, Louisa A.	John C.	Colonel and brigadier-general	50.00
Steedman, Margaret	James B.	Major-general	50.00
Stevens, Margaret L.	Isaac J.	Brigadier-general	50.00
Stone, Jeannie	Charles P.	do	50.00
Stoneman, Mary O. H.	George	Major-general	50.00
Sutherland, Elizabeth W.	Charles	Surgeon-general	50.00
Sweeny, Eugenia R.	Thomas W.	Brigadier-general	50.00
Thornburgh, Eliza W.	Thomas T.	Major	50.00
Truxtun, Mary C.	William T.	Captain	50.00
Van Cleve, Charlotte O.	Horatio P.	Brigadier and brevet major-general	50.00
Vandever, Jane H.	William	Brigadier-general	50.00
Van Derveer, Emily M.	Ferdinand	do	50.00
Ward, Elizabeth	Durbin	General	50.00
Weitzel, Louisa	Godfrey	Lieutenant-colonel and brigadier-general	50.00
Whelan, Adeline	William	Surgeon	50.00
White, Caroline H.	George B.	Captain and Chief Bureau Yards and Docks.	50.00
Winship, Mary B.	Oscar P.	Major	50.00
Woodrum, Martha F.	James	Private	50.00
Woods, Cecilia I.	Charles R.	Colonel	50.00
Worden, Olivia T.	John L.	Rear-admiral	50.00
Wyman, Emily M.	Robert H.	do	50.00
Yates, Susan D.	Arthur R.	Captain	50.00

Mr. BRANDEGEE. Mr. President, I do not intend to consume more than a moment or two of the time of the Senate, but I desire to thank the Senator from North Dakota [Mr. HANSBROUGH], who was kind enough to consent that the unfinished business might be temporarily laid aside for the consideration of this bill. We realize that but for his courtesy the bill could not have been brought to a vote at this session of Congress.

I desire particularly to express to the leader of the minority [Mr. BLACKBURN] the appreciation which the people of Connecticut, irrespective of party, and the comrades of General Hawley, will feel for the very considerate and feeling remarks which he has made upon this occasion.

Mr. President, I shall vote for this bill with great pleasure, and I feel that in so doing I shall not be doing an injustice to anybody nor creating any sort of discrimination against anybody. I shall not vote for this bill, as was suggested in the remarks of one Senator, as in any way according a pension because the soldier was a Senator of the United States. I shall vote for the bill because it bestows a small pension, which is needed, in my judgment, upon the widow of one of the most distinguished generals that this country ever knew, and because it is a feeble attempt on the part of Congress in a certain measure to express the honor and esteem in which it holds that general, and because it does it upon the ground, not that he was a Senator of the United States, but that he for five years served his country faithfully in every military rank from that of private to major-general. I think upon that ground it is justified, irrespective of any mere technical rule which may govern the attitude of the committee in the consideration of such cases.

Mr. GALLINGER. Mr. President, I desire to make a correction. I filed with the Committee on Pensions a letter from Mrs. Hawley giving a statement as to her property. My recollection was that it was \$40,000. The chairman of the committee suggested that it was \$50,000, which I mildly disputed. I find upon reference to the letter that the chairman of the committee was right and that I had forgotten the exact amount. It was \$50,000.

Mr. BACON. Mr. President, I do not know that the yeas and nays are to be called on the passage of the pending bill, and for that reason only I rise to say that I shall vote for it. Twelve years ago when I first came to this body there were a great many Federal soldiers on the other side of the Chamber, and almost all the Senators on this side of the Chamber who represented Southern States had been Confederate soldiers. It is a vanishing band on each side. There are comparatively few left on either side. I think all of the Confederate soldiers on this side of the Chamber who are now present, except myself, have indicated their intention to support this bill. I beg pardon of the Senator from Kentucky [Mr. McCREARY], who says to me that he has not spoken, but that he intends to support the bill. Sitting behind my seat, I did not see that he is present. I am glad of the opportunity to say it for him, if he does not say it for himself. That being the case, I was unwilling that the opportunity should pass to put myself on record, which

might not be given in the absence of the call of the yeas and nays. I served in this Chamber for ten years with General Hawley, and I am very glad to give my voice in harmony with that which has already been said as to the character of the man and as to his services here and in the field.

Ordinarily, Mr. President, Senators from my section have little to say on the subject of pensions. We think it not in good taste for us to take any part in opposition to pensions, and we usually leave the matter of pensions to the Senators of either party who represent States in the northern part of the United States. But there are exceptions, and I think this is one of them, and I am glad to have this opportunity.

I am particularly glad to say this in view of the fact that there have been recently in more than one instance evidences of the desire of Senators on the other side of the Chamber to show their consideration for those of us on this side of the Chamber, not only in the granting of such pensions as was stated by the Senator from West Virginia [Mr. SCOTT], as in the case of the widow of Stonewall Jackson, but in the removal from the statutes of the country of words which were unpleasant, not to say offensive, to those of us who happened to be on the other side of that great conflict.

I repeat I should have said nothing if I had known that there was going to be a call of the yeas and nays, and not knowing that I felt impelled to have a record made of the position which I occupy in the matter.

Mr. McCUMBER. Mr. President, were I voting my sentiments in this case, the bill would have been reported long ago and it would have been reported favorably. It would have been reported for the entire amount. Were I voting my sentiments on all of the bills which come before the Committee on Pensions, it is equally true that nearly every one of them would be at a much higher rate than that at which they are reported to this body. But I could not, at the grave of a friend, so allow my sentiments to govern me as to do injustice to the living. I could not, with all my love of General Hawley and my admiration for his record, vote for that which I thought would be an injustice to thousands upon thousands of widows of good and noble officers and brave soldiers who fought in the great civil war.

I was loath to bring in this bill with an adverse report. That it did not appear upon the Calendar before this time is due to the request of Senators, who still hoped that I might possibly bring in a favorable report, and it has been delayed undoubtedly because of that desire and hope upon their part, and when they saw that the report would not be favorable, they then asked that it be brought in even with an unfavorable report, that it might be voted upon.

Mr. President, I believe in paying as high a tribute as any one possibly could pay to the memory of General Hawley. I am willing that we shall erect a statue to his memory, as has been suggested by the Senator from New Hampshire. It may be a shaft to the very skies and that on every foot of it may be written his noble record. But I do not wish to see it capped with an injustice toward any other American citizen, and that is why I have opposed the granting of a pension in this case, as the expression of our gratitude in the measure of dollars instead of in words of praise and sentiment, when I know that a pension would be taken as, and will be, a precedent for all others.

Mr. President, Senators have spoken of the devotion of this woman to her husband. Ah, when Senators speak continually of the devotion of the wives of officers to their husbands they seem to forget that devotion is a natural element in woman's heart, and that it is just as strong, just as ardent, just as true, just as noble on the part of thousands upon thousands of widows of privates and widows of minor officers. It is not a peculiarity on the part of the wife of this general. It is something which always exists, and, thank God, always will exist. It is not something that should be paid for or that should be considered a purchasable quantity. It is that which we honor, which we adore in womankind; and as I say, it is as wide as the great wide world. This devotion is the same in her case as it is in the case of the thousands upon thousands of other widows.

The Senator from Wisconsin [Mr. SPOONER] said that all rules have their exceptions. Aye, Mr. President, they have. But the exception should always be exercised toward mercy and humanity. If we should make an exception, that exception should always be toward the poor and the lowly and those in necessitous conditions. I think Senators will agree with me that I have yielded and bended those rules again and again to reach necessitous cases. I think I have tried to apply them in such manner that none for whose benefit they were framed shall go

away and feel that they are in necessitous condition or must suffer in any manner whatever without receiving aid.

The Senator from Wisconsin says there is a difference between the widow of the officer and the widow of the private, intimating, as I understand, that the question of necessity as applied to one should not be the same as the necessity as applied to another; that destitution in one case means one thing, and that destitution in another case means another thing. I deny it. Let me give the Senate an example of two boys, brothers, we will say, born before 1850. One of them through a Representative or a Senator got a position in our great institution of learning, either in the Navy or in the Army. One is made a general. The other boy remains at home. Both go into the Army. One serves as a colonel and finally becomes a general. The other serves as a private. One gives his life to his country. The other gives his life to his country. Both have left widows to mourn their loss. One widow has lived a life of comparative ease as the wife of an officer. The other widow has lived a life of hardship as the wife of a private soldier. Then, if we are to give either of these two persons one touch of generosity from the hands of the Government, I can but feel that we should give the poor woman who has struggled and suffered equal consideration with the one who has not. I can but believe if we are to give one of them a touch of heaven before they enter into their last state, it should be in favor of the one who has suffered more and who has given more in giving the life of the one who was her support. I deny that we should make any distinction whatever.

I admit, however, that this sentiment is strong. I understand, as everyone on the Pensions Committee understands, that where there is pressure from one man to raise the pension of the widow of a private soldier there are a thousand importunities to come to the aid of the widow of an officer. I have tried to bring one up as near to the standard as the other, and I certainly am thankful to every Senator here who has borne kindly with me where I have explained to him the impossibility of raising this one or that one beyond a given amount without doing an injustice to all the others.

It is proposed now to pension this widow at \$50 a month, a woman worth \$50,000, able to travel abroad, to educate her children; and here come those who are worth nothing and who are drawing \$30 a month, and they appeal to me. What am I to say? What answer can I give? Their husbands made a noble record also; possibly not as high as that of this officer, but they gave all they had. They did their duty honestly and fairly and justly. They performed every duty that a soldier was compelled to perform. What answer can I give to the hundreds that come before the committee and say, "We have nothing. You have granted to the widow of one, with an acknowledged property standing of \$50,000, \$50 a month." What will you do for the one who has nothing and who is receiving but \$30 per month? Ah, Senators here can answer that, but those who are upon the committee can not answer it, because there is no answer. The only answer that can possibly be given is that the Senate, in its love for a fellow-member, in memory of the great soldier, with that sentiment and affection which they felt for him, gave this as a tribute to his memory, and not because of the necessitous condition of the widow. That does not answer, though, when the people are demanding exact justice.

Mr. President, it is said that this is an exceptional case. Every report and affidavit and letter that comes before the committee will recite a case as an exceptional case, and they will go into the record of the officer. Indeed, they are all exceptional cases. If they were not exceptional cases, they could not receive any consideration whatever by the Committee on Pensions. There has been printed or offered to be printed in the RECORD a list of many who have been granted \$50 a month. But if I understand it correctly there are very few, if any, who have been granted that rate except they showed to some extent or to some degree destitution. That, I understand, has been the basis, practically, of every one of them.

We proposed here the other day to grant a pension of \$50 a month to a man who had once been a member of this body—General Blair, from New Hampshire. It was raised upon the floor to \$72 a month on motion of the Senator from New Hampshire. I made no objection whatever. But here was a poor old man who had given his whole life, and a life of labor, to the public service, and although wounded many times, although a noble general, with a fine record, he never once would draw a pension or ask for it, and he never even asked that a bill be introduced in his behalf. It was introduced by the Senator from New Hampshire, and without one word from the ex-Senator the pension was granted. But he was not a person

holding \$50,000 worth of property. If he had been worth half of that sum, I do not believe he would have accepted the pension, because so long as he could stand and perform duty and earn a livelihood, he would not come to the Government for any help whatever.

Mr. BULKELEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. I yield.

Mr. BULKELEY. It is only for a moment. I desire to say in connection with the remarks of the Senator from North Dakota that from an examination of the records I find that almost the last case that was reported from the Pensions Committee was where the widow for whose benefit the bill was pending testified that she had a hundred thousand dollars, and the bill was recommended by the committee, and passed. I do not think the Senator from North Dakota was chairman of the committee at the time.

Mr. McCUMBER. I do not know what the Senator from Connecticut refers to. It certainly did not occur since I have been on the committee.

Mr. BULKELEY. I refer to the widow of General Lawton, who was killed in the Philippine Islands.

Mr. McCUMBER. I have stated that some pensions have been granted although destitution was not established. I was not chairman of the committee at the time referred to by the Senator from Connecticut.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. Certainly.

Mr. HANSBROUGH. I agreed to have the unfinished business temporarily laid aside at 1 o'clock for thirty minutes or thereabouts. It has been over one hour. I serve notice now that unless this debate is to cease very soon I shall ask for the regular order.

Mr. BULKELEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. I yield.

Mr. BULKELEY. I trust the Senator from North Dakota will let this bill come to a vote. I hope there will be no further debate after the chairman of the committee has finished.

Mr. HANSBROUGH. I was ready to vote on the bill an hour ago.

Mr. BULKELEY. I know it. So was I.

Mr. ALDRICH. I should like to have a few minutes.

Mr. PENROSE. I desire to present a conference report and to ask for its present consideration.

Mr. ALDRICH. I hope the Senator from Pennsylvania will withhold action upon the report until we dispose of this matter. It can not take more than a very few minutes.

Mr. PENROSE. The conference report can be presented to the Senate, and I will withhold action; but this discussion seems to be endless, and it is very important to have the appropriation bill get over to the House and be acted upon.

Mr. ALDRICH. I myself should like to have two minutes, or one minute perhaps, to say a few words in memory of General Hawley.

Mr. PENROSE. I will withhold the report until the Senator concludes.

Mr. McCUMBER. Mr. President, this bill will pass the Senate. I shall not ask for a division or for the yeas and nays upon it. I feel that I can say that it will pass the Senate as the sentiment of this body and because of its love for General Hawley, for the purpose of showing its appreciation of his long services in the Army and in this body; and while the rules of the committee have been overruled by the Senate, I can not myself vote for this bill for the reason I have given. I feel that if I did so I would do a thousand injustices.

Mr. ALDRICH obtained the floor.

Mr. MALLORY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Florida?

Mr. ALDRICH. I do not propose to take more than a minute, I will say to the Senator.

Mr. MALLORY. I shall not take more than two minutes.

Mr. HANSBROUGH. I call for the regular order.

Mr. FRYE (to Mr. HANSBROUGH). Give them three minutes.

The VICE-PRESIDENT. The regular order is demanded.

Mr. ALDRICH. I will not take more than one minute.

The VICE-PRESIDENT. The Senator from North Dakota demands the regular order.

Mr. HANSBROUGH. I will give the Senator from Rhode

Island and the Senator from Florida five minutes between them, and they can divide it.

Mr. ALDRICH. I yield to the Senator from Florida.

Mr. MALLORY. I believe I have a right to the floor.

Mr. ALDRICH. I beg the Senator's pardon. I thought the Chair recognized me.

The VICE-PRESIDENT. The Chair first recognized the Senator from Rhode Island and asked the Senator from Rhode Island if he would yield to the Senator from Florida.

Mr. MALLORY. I desired merely to state that I understand the Senator from Georgia [Mr. BACON]—

Mr. ALDRICH. I yield to the Senator from Florida.

Mr. MALLORY. I understand that the Senator from Georgia [Mr. BACON] a few minutes ago stated that every ex-Confederate in this body would vote for this bill.

Mr. BACON. The Senator from Florida is mistaken.

Mr. MALLORY. I was not present at the time.

The VICE-PRESIDENT. Does the Senator from Florida yield to the Senator from Georgia?

Mr. MALLORY. Certainly.

Mr. BACON. I simply said that those ex-Confederates who were present had already spoken in favor of the bill, as I supposed; but I found out afterwards that I was mistaken. The Senator from Kentucky [Mr. McCREARY] called my attention to the fact. I thought he was out of the Chamber. I expressly excluded those who were not in the Chamber.

Mr. TALIAFERRO rose.

Mr. BACON. I want to say, furthermore, that I did not know that my young friend, the junior Senator from Florida [Mr. TALIAFERRO], was a Confederate soldier. He looks so young that I had not included him in the class.

Mr. MALLORY. I desire to say that I have not the slightest objection to giving all the pensions that are proper to every Union veteran. I have never voted against a single pension bill since I have been in the Senate. I have listened to the arguments in this case, and I am satisfied that the position taken by the chairman of the committee is correct.

Mr. TALIAFERRO. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the junior Senator from Florida?

Mr. ALDRICH. Under restrictions which have been placed upon me I have only a minute.

Mr. TALIAFERRO. I can take the floor in my own right later, if the Senator from Rhode Island declines to yield.

Mr. ALDRICH. I yield to the Senator if he desires to go ahead now.

Mr. TALIAFERRO. I simply desire to make a statement.

As a member of the Committee on Pensions, I think it perhaps proper that I should have a word to say. I united in the report of the committee against the passage of this bill. I did so not out of hostility to General Hawley or to any veteran of the Federal Army. I considered the bill before the committee just as I have considered every other bill which has been brought there. When it was taken up we applied the rules of the committee to the consideration of the bill. It was shown that the widow of General Hawley had a considerable income, an income perhaps sufficient to comfortably support her and her family, and the committee held, and I held with the committee, that it was not proper that the Congress should vote her a pension of \$50 a month.

Mr. ALDRICH. Mr. President, I do not think the chairman of the Committee on Pensions or the members of that committee can be justly criticised for their attitude upon this bill. The duties of the members of that committee are certainly very onerous. They are obliged by circumstances to adopt rigorous rules and to enforce them, as they have done in this case. But these rules should not necessarily be applied to the action of the Senate.

This body during my service has passed pension bills for the benefit of the widows and families of great soldiers, about which there was no dissent here and no dissent in the country. In these bills the character and the service of the soldier have been recognized as the basis of Congressional action.

What has been done in the United States in this direction, in granting pensions to the widows and families of General Grant and General Sheridan and General Logan and a large number of other great soldiers, as a recognition of the soldiers' services, has been in the line of the policy adopted in every civilized country since history commenced. Great soldiers have been rewarded by grants of money, their memory perpetuated by the erection of monuments, their families made the recipients of numerous evidences of the appreciation of a grateful people.

It was my fortune to have known General Hawley many years before he entered the Senate, as a Member of the House of Rep-

representatives, as commissioner in charge of the Philadelphia Exposition, as governor of the State of Connecticut. The Senator and I entered the Senate in the same year, and I have had opportunities during all that time to know as well as any man could the character of his services. I am sure that no people ever had a more patriotic and devoted servant, in every capacity, than the American people had in Joseph R. Hawley, and in the passage of the bill which is now under consideration I am sure that the Senate of the United States will in a very small degree show the appreciation in which the American people hold his services.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPRINT OF PENSION APPROPRIATION BILL.

Mr. McCUMBER. I ask that an order may be made for a reprint of the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions, being the amendment in the nature of a substitute, showing the amendments to the amendment by number.

The VICE-PRESIDENT. Without objection, it is so ordered.

COMMITTEE SERVICE.

Mr. BLACKBURN. With the expiration of my term in the Senate, Mr. President, a vacancy will occur upon the Committee on Military Affairs. As the inquiry with which that committee is charged will be carried on during the vacation of Congress, I ask to be excused from further service upon the committee, in order that a vacancy may be avoided.

The VICE-PRESIDENT. The Senator from Kentucky asks to be excused from further service upon the Committee on Military Affairs. Is there objection? The Chair hears none, and the Senator is excused.

Mr. BLACKBURN. Now I would ask that the junior Senator from Tennessee [Mr. FRAZIER] may be assigned to fill the vacancy on that committee.

The VICE-PRESIDENT. The Senator from Kentucky moves that the Senator from Tennessee [Mr. FRAZIER] be appointed to fill the vacancy upon the Committee on Military Affairs.

The motion was agreed to.

ANNA JOHNSON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 8580) granting land to Anna Johnson, which was, in line 7, to strike out "three" and insert "twenty-five."

Mr. HANSBROUGH. I move that the Senate concur in the amendment of the House of Representatives.

Mr. ALDRICH. What is the amendment?

The VICE-PRESIDENT. It is merely in the description of the land.

The motion was agreed to.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I ask that the unfinished business be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

The VICE-PRESIDENT. Two amendments were reported by the Committee on Finance. The first amendment will be stated.

The SECRETARY. On page 2, line 4, after the word "alcohol," at the end of the first section, insert the following proviso:

Provided, That rum of not less than 150° proof may be withdrawn, for denaturation only, in accordance with the provisions of said act of June 7, 1906, and in accordance with the provisions of this act.

Mr. HANSBROUGH. There seems to be no objection to this amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

Mr. ALDRICH. The next amendment is the one which was contested.

The SECRETARY. In section 4, on page 4, line 4, after the word "distilleries," insert "except the provisions of section 3284 of the Revised Statutes;" so as to make the section read:

Sec. 4. That at distilleries producing alcohol from any substance whatever, for denaturation only, and having a daily spirit-producing capacity of not exceeding 100 proof gallons, the use of cisterns or tanks of such size and construction as may be deemed expedient may be permitted in lieu of distillery bonded warehouses, and the production,

storage, the manner and process of denaturing on the distillery premises the alcohol produced, and transportation of such alcohol, and the operation of such distilleries shall be upon the execution of such bonds and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, and such distilleries may by such regulations be exempted from such provisions of the existing laws relating to distilleries, except the provisions of section 3284 of the Revised Statutes, as may be deemed expedient by said officials.

Mr. HANSBROUGH. That is the amendment which many Senators here, including myself, claim nullifies the whole bill.

Mr. DANIEL. I desire at the proper time, if it be not in order now, to offer an amendment to come in after the word "may," in line 8, on page 1 of the bill. I move at that point to insert the words "after January 1, 1908." I suppose the committee amendment ought to be disposed of before my amendment is considered.

Mr. FRYE. Let us have a vote on the committee amendment. The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. HANSBROUGH. I should like to understand the amendment offered by the Senator from Virginia.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Virginia.

The SECRETARY. On page 1, line 8, after the word "may," insert "after January 1, 1908;" so as to read:

That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, domestic alcohol when suitably denatured may, after January 1, 1908, be withdrawn from bond without the payment of internal-revenue tax, etc.

Mr. CARTER. What is the insertion?

Mr. HANSBROUGH. What are the words proposed to be inserted?

Mr. DANIEL. I will explain it in a moment.

The VICE-PRESIDENT. The Secretary will again read the amendment.

The Secretary again read Mr. DANIEL's amendment.

Mr. CULLOM. What has become of the committee amendment?

The VICE-PRESIDENT. The second committee amendment has not been agreed to.

Mr. DANIEL. Mr. President, I desire to make a few remarks concerning the bill.

The VICE-PRESIDENT. Does the Senator from Virginia desire action upon the second committee amendment to be deferred?

Mr. DANIEL. I do not desire action upon it until after I have had something to say.

The VICE-PRESIDENT. The Senator from Virginia will proceed.

Mr. DANIEL. Mr. President, the present measure has been already amended at the instance of many manufacturers both of rum and of tobacco in this country so as to include rum as one of the spirits that may be withdrawn from bonded warehouses for denaturation. There can be no objection to that that I can see. The first section of the bill is one that has attracted considerable objection. It provides that notwithstanding the act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials, alcohol after being suitably denatured under that act may be withdrawn from bond without the payment of internal-revenue tax "and used in the manufacture of ether and chloroform and other definite chemical substances where said alcohol is changed into some other chemical substance and does not appear in the finished product as alcohol."

The effect of this act will be disastrous to the present manufacturers of ether, and my object in speaking to this amendment is to call attention to the effect it will have and to the improvidence of rapid and fundamental changes in the laws that regulate this subject.

There is in the city of Richmond a firm engaged in the manufacture of ether. Through their expertness in its manufacture they have considerably reduced its price. Under the laws as they existed before the act of June 7 of last year they were conducting a prosperous and successful business. At the time that act was passed they were represented before the committee, and were heard, and went away satisfied that their manufacture would not be interfered with. Under these circumstances they put more capital into their plant, and they find now, about eight months after apparently deliberate action had been taken on this subject, that they are menaced by a change of law which will prove ruinous to their business.

The establishment to which I refer is the American Ether Company, of Richmond, Va. It is engaged in the manufacture of sulphuric ether without the use of alcohol. It was at their

instance in large measure, though they were joined by others somewhat in the same situation, that denatured alcohol was not allowed to be used for making ether. They state in a communication which I have before me that under this assurance the company has spent large sums of money in perfecting its plant and has accumulated large stocks of ether. It is now proposed to amend the law so as to permit the manufacture of ether from free alcohol. They say in objection to this proposition, first, that the amount of ether made in this country is so very small that the benefit to the people at large would not be commensurate. They show that the total amount of ether made in the United States in 1905 was 871,394 pounds, valued at \$440,240, as stated in Bulletin 57 of the Bureau of the Census, page 40. Of this amount the American Ether Company, of Richmond, to which I refer, produced 365,000 pounds, leaving 506,394 pounds made from tax-paid alcohol, and this manufacture yielded the Government about \$250,000 of revenue.

They argue as a conclusion from these premises that to save users in this country about \$300,000 the Government would lose \$250,000 in revenue and their own investment of \$200,000 would be entirely destroyed. They further present the argument—

Third. That Congress having settled this matter at the last session of Congress, assuring us that our business would not be injured, it does not seem fair now to amend the law just as it is going into effect, in such a manner as not only to destroy our investment in our plant, but to render valueless the large expenditures made by us in perfecting our plant since last summer and to cause us a very heavy loss on our stock of ether, which we have since then accumulated.

In response to the suggestion that with the use of free alcohol for ether the market and manufacture of ether would be alike increased, they say that the only other outlet for cheaper ether would be for smokeless powder, and that according to their best information ether can not be made cheap enough from free alcohol to compete with the present solvents used by powder makers.

They state that they have letters from some of the largest manufacturers, who say that to enable them to use it the price could not be over 10 cents per pound, whereas to make ether from denatured alcohol would cost the manufacturer to make, for material alone, 10 cents per pound, to which must be added his profit, interest, wear and tear on his plant, packages, transportation, and other incidental charges.

Mr. President, I am well aware that if it be demonstrated that a change of taxation is largely beneficial to the great mass of the people, one who urges that a particular factory or factories may be damaged puts himself in a position which is not usually respected in Congress and which can not be rightfully or successfully measured against a general public consideration. But, at least, Mr. President, when such menaces appear to an established order of things, when the subject has been canvassed in Congress and has been dealt with with knowledge of the conditions which exist and of the injury which a change would superinduce, it is not the part of a wise legislator to act hastily or indiscreetly so as to impair properties and disorder manufactures which have been engaged and which are progressing under an established and recently ordained order of things. It is wise that innovations should take place slowly, that society may adjust itself to them as far as practicable by reasonable anticipation.

If it should come to pass that Congress now, so soon upon the heels of its former treatment of this subject, should fundamentally reverse its policy and should reenact statutes which destroy and break down those institutions and establishments which have been erected upon the acceptance of the policy, it should at least "temper the wind to the shorn lamb" and give all opportunity that fittingly may be given for such readjustment as may be indispensable.

It is with a view to the possibility of the passage of this bill that I have, therefore, proposed the amendment, which will in due time be considered, postponing the operation of this revolutionary and destructive controversy to at least the 1st day of January, 1908.

I have before me, Mr. President, quite a number of papers and the testimony of the hearings which have been had upon this subject. On page 16 of the hearings before the Finance Committee, Mr. John B. Purcell, of Richmond, appeared as a representative of the American Ether Company, in which he is himself engaged as a representative of a house long established and of high standing in the city of Richmond. At this hearing he testified as follows:

After the passage of the free-alcohol bill by the House last summer, we proposed to add an amendment in the Senate explicitly forbidding the use of denatured alcohol for the manufacture of ether, as the wording of the bill was not, in our opinion, sufficiently definite on that point, and at the suggestion of Hon. JOHN LAMB, Representative from our district, we sought and obtained through him an interview with Mr. HILL, the patron of the present bill, Mr. JOHN SHARP WILLIAMS, and Mr. CHAMP CLARK, all members of the Ways and Means Committee, and apprised them of the amendment we desired. They all and

severally assured us that our amendment was unnecessary, as it was the unanimous opinion of their committee that ether could not be made from alcohol, and that the Commissioner of Revenue concurred in the view. With this assurance our amendment was not offered. When the bill was reported to the Senate, Senator MARTIN asked the chairman, Senator ALDRICH, if the bill would permit of ether being made from denatured alcohol, and the Senator replied "that it would not be permitted." Senator MARTIN asked the chairman if he knew what would be the view of the Commissioner of Internal Revenue on that point, and Senator ALDRICH stated that he did know, and that the Commissioner took the same view.

This is attested by the CONGRESSIONAL RECORD at the time of the passage of the bill, Mr. President, and these are the assurances, or at least some of the assurances, which were received by the representatives of the American Ether Company when they appeared here to be heard in June last. I will further state that I am myself personally privy and have knowledge of the reiteration of these assurances by some persons prominently connected with the Government, whose duty it was to deal with such things.

I need not prolong this feature of the case, but it should be understood that there is a large capital now engaged in this business; that there are many hands employed, and that capital has been invested since the passage of this bill, eight months ago, in the progressive manufacture of this article. I do not know, at least of my own knowledge, how justly to weight the scientific objections which are sometimes made to such matters as this, but there appear also in this testimony, Mr. President, considerations with respect to the reconversion of ether into alcohol, and thence into the various forms which spirits assume under chemical treatment and manufacture, that there is a considerable danger that if the denatured alcohol may be manufactured into ether, it may be readily reconverted into alcohol, and in that form go into the marts of trade.

In this view, Mr. Purcell, of Richmond, a gentleman whom I well know as one of great intelligence, and than whom no citizen possesses higher character, argued before the committee, and set before it substantial statements, to show how ether might be reconverted into alcohol, and great danger, not only to the revenues, but to the trade of the country, might therefrom arise.

On page 11 of these hearings those who may care to pursue the subject will see the processes set forth from the chemical formulas that control them, and will perceive that that is a suggestion of substance and one that ought to be fully and carefully weighed.

This subject, Mr. President, which thus involves one branch of our manufactures, is much further reaching. It involves the whole manufacture of whisky in the United States. It was stated by a very intelligent and well-informed witness before the Committee on Finance that the whisky trust was, in his opinion, the power behind the throne in the propaganda of this measure. I know nothing on that subject, nor do I presume that any other Senator knows anything; but we do know that other interests than the farmers, who were made so conspicuous in the agitation of a year ago, are probably the chief promoters of this bill. I do not charge, neither do I mean to intimate, that these interests, who are the manufacturers of the United States, are in any respect deviating from a just principle in being the promoters of this bill. If it is going to add to the benefit of the manufacturers in the United States they have a perfect right, unchallenged by anyone in its exercise, to promote the consideration and passage of this measure; but first of all they should move with regard to the rights and interests of others, and when they set to work to get the farmers of the United States to come forward as its most conspicuous advocates, that becomes a matter of diplomacy which should be noted. There is no doubt of the fact that the apparent appearance of the farmer upon the scene, so picturesquely, so multifariously, so constantly, is a matter superinduced and brought about largely by the instigation of the manufacturers who desire his influence in the Congress of the United States and who gild the pictures which they draw with very pleasing colors as to what the farmer will derive as a benefit of this measure.

We all remember how something like a year ago bucolic pictures were painted before our visions, which made it appear that Aladdin would soon wave his lamp over the old fields of the country and gratify the wishes of those who toil therein. So far as heard from, I have not been impressed with the fact that the farmers of this country have made any great progress in the last eight months in realizing the dreams which were dreamed for them in large measure by their friends, the manufacturers.

It is quite clear—and such is the evidence before the committee—that the manufacturers had an organized machine, by which they instigated the people of this country here and there to urge Congress to pass this measure. I do not deny,

their right to do it; but, in weighing things here, we should understand what we are doing and duly weigh the various considerations and influences on one side or another.

In the course of the hearings before the Finance Committee there was introduced by one of the witnesses, who is a large manufacturer of whisky in Peoria, Ill., one of the circulars that have gone far and wide and been spread broadcast on this subject. I will read it, so that it may appear in the RECORD as it stands on page 38 of these hearings. I wish to note the fact that the letter head bears this legend:

[Committee of manufacturers formed to assist in securing cheaper alcohol for industrial purposes, 21 William street, New York City.]

It reads as follows:

NEW YORK, February 4, 1907.

GENTLEMEN: We inclose copy of bill and report by the Committee on Ways and Means which provides for amendments to the laws governing the production of alcohol, so as to give greater facilities for the production, denaturing, and transportation of untaxed denatured alcohol. This bill has been favorably reported by the Committee on Ways and Means, and it is expected that it will be passed by the House within a few days.

The purpose of this bill is to still further reduce the cost of denatured alcohol, by enabling farmers or other persons who wish to produce it on a small scale to distill it in suitable locked stills, and to have it denatured without the expense of a denaturing bonded warehouse. The provisions allowing the transportation of denatured alcohol in tank cars will also materially reduce its cost to the consumer.

It is highly important that this bill should become law at the present session of Congress, and we would ask you to sign the inclosed petitions and send one of them to each of the Senators from your State, with a letter urging them to use their influence to secure prompt action by the Finance Committee of the Senate as soon as the bill reaches that body.

Should you desire additional copies of the bill or petition, we shall be pleased to send them to you.

Yours, very truly,

J. H. ALLEN,
Secretary-Treasurer.

Mr. President, the blank forms of the petition to be signed, which were inclosed with these letters or circulars, sent far and wide, will be found on page 39, and is as follows:

To the honorable Senate of the United States, Washington, D. C.:

The undersigned respectfully urge the enactment of legislation amending the laws governing the distillation of alcohol so as to permit farmers or other persons wishing to produce alcohol on a small scale to distill it in suitable locked stills and to have it denatured without the expense of a denaturing bonded warehouse, and authorizing the Commissioner of Internal Revenue to prescribe regulations permitting the transportation of denatured alcohol in tank cars.

The purpose of the desired legislation is to reduce the cost of denatured alcohol by giving greater facilities for its production and distillation. Under the present laws relating to this subject alcohol intended to be denatured and sold without payment of internal-revenue tax must be produced under the same conditions as distilled beverage spirits. Those conditions tend to limit the production of alcohol to large distilleries, while the expense of the required distillery warehouse and bonded denaturing warehouse adds materially to its cost. The statutory limitation on the size of the packages containing alcohol prevents its shipment in tank cars, a method of transportation which would reduce its cost to the consumer.

The proposed amendments would not result in the loss of any revenue to the Government and would greatly benefit the farmers of the country, both by furnishing them with a material for lighting, heating, and motor fuel purposes and by creating additional markets for the farm products from which alcohol is distilled.

Yours, respectfully,

Under the influence, Mr. President, of this propaganda, of editorials and of advertisements of one sort and another that went forth to the agricultural communities of the United States, the farmers began to see themselves growing rich quickly from the distillation of alcohol out of the waste products of their farms. A short and smooth road from agriculture to great riches had been discovered, and the farmers of the country were, naturally enough, eager to go at once traveling thereupon; but I have not heard, Mr. President, that in the eight months of the use of this royal road to wealth that the lean earth had been very deeply larded therein, or that real estate in farming communities had been thereby greatly improved in value, and I am very much afraid, Mr. President, that the percentage of realization in this case will not be larger than in the case of many other booms.

Let me not be misunderstood. The manufacturers of this country, and the agriculturists of this country as well, had a perfect right to set forth these things to the people, and if they believed what they set forth they are beyond criticism. It is now said, however, by a distinguished Senator here who represents one of the great agricultural regions of the United States, namely, North Dakota, that this scheme of sudden riches to farmers is a gold brick. It is thought by some that this gold brick can, by the chemistry of an additional law, be turned into pure gold, but when we take up the processes by which the conversion of last year's gold brick into the pure gold has to be consummated we encounter new difficulties. In the first place, there appears upon the scene a large body of distillers of spirits from corn and otherwise. The great distillers of Peoria come here and in a most intelligent manner, as men who have knowledge of their business, set forth menaces which are intro-

duced to the business of the country by the bill which came to us from the House.

The scheme of the House bill is further to encourage and facilitate the denaturing of alcohol, and professedly to stimulate the production of alcohol all through the agricultural regions of the United States on small farms, and through the use of the waste products of the farm for those purposes; and as the bill stands, while its proposition and outlook is to enable the farmer to start an alcoholic distillery, no internal-revenue officer is required to appear to be a sentinel upon the scene. The whisky manufacturers argue, first that they are—

Mr. FULTON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Oregon?

Mr. DANIEL. Certainly.

Mr. FULTON. Mr. President, the Senator does not understand that under the bill as it came from the House the Commissioner of Internal Revenue may not employ storekeepers if he thinks it necessary, does he?

Mr. DANIEL. I do not say so; no, sir. I do not understand that. I am coming to explain that pretty soon. He is not required to keep a storekeeper at each distillery.

Mr. FULTON. He may if he desires.

Mr. DANIEL. He may—

Mr. FULTON. If he thinks proper.

Mr. DANIEL. He may. But, Mr. President, if these distilleries are to spring up all over the country, if a storekeeper has to be kept at each one of them, if the farmer is going actively into the business, it is going to take an army of storekeepers to carry out the purposes which the Senator intimates will be carried out by the Commissioner of Internal Revenue. The question would arise, Will the storekeepers cost more to the Government than the alcohol pays?

At this stage of the second experimentation on the subject the farmer, instead of finding himself as a free citizen handling the products of his farm at such times as he pleases and in such ways as he pleases and in accordance with his own idiosyncrasies and purposes, is to have an internal-revenue officer there watching him, superintending him, and permitting him to do nothing unless he is there to watch him and superintend him. On yesterday, Mr. President, it was confessed and here stated that the first denatured-alcohol act, of June 7, 1906, was a mere experiment; when we began to realize some of the difficulties which we are up against in considering the pending bill, it was again said, "Oh, this is a mere experiment." And when objection was made that this scheme was imperfect, and that that plan needed further amendment and correction, it was, in the third degree, suggested that next year we could go along and make another experiment. Experimentation upon the body politic, made by those who do not know with any precision what they are doing, is one of the most fatal things on earth.

That leads me, sir, to the reflection and observation that no one mind that has full information on this subject, and that has thrashed it out in its ramifications, has ever yet set forth to Congress or to the Senate any harmonious and well-digested scheme. On the contrary, Mr. President, while this is true, it is also true that Congress has been prodded, urged, and stimulated to go on now, quickly, instantly, and give the farmers a chance to get rich. This subject, Mr. President, deserves and should receive the wisest and best consideration that a learned mind and careful judgment can give to it, and the very closing days of this session, when there are not enough hours in the day for any Senator to discharge in a fitting manner one-half of the duties which he is called upon to perform, is not the time which should be selected for the consideration of a subject which can only get a glance from a mind which should pore over it with reflection, and only catch the momentary attention of an ear which should be alert to draw from all sources the elements of information and wisdom which should be applied to it.

We are told that people are getting rich in Germany through the manufacture of denatured alcohol. We know very little of what is going on in Germany, but from what was related to the Committee on Finance by a gentleman who once lived in Germany and who has studied the German system I am impressed with the opinion that if Americans are expecting any rapid, immediate, or sure path to agricultural riches by modeling their legislation upon that of Germany, they have reckoned in a large measure without their host. In Germany the whole matter is under governmental control. A single house takes all the agricultural alcohol that is made. The princes and magnates of Germany are the people who control and own the whole industry. Compared with the magnificent, widespread area of the United States, Germany is only a corner

not larger than the State of New York, with a crowded population; and to suppose that the farmers of the United States, who are emphatically a scattered nation in the myriad places which they occupy, remote from railroads, and also remote in many instances from the great streams which furnish transportation, can successfully work a system which belongs to a small, compact country and which has grown up in the track of years by experimentation is, Mr. President, almost to look for the falling of the skies and for the catching of larks.

We are told by some Senators that it will not do to send an internal-revenue officer to stand sentinel over the farmers of this country. "Hands off!" say they to the Internal-Revenue Commissioner. Why? They certainly do not mean to intimate that the farmers of this country, as a rule at least, are at all likely to try to beat the revenue of this country by passing their alcohol into illegitimate channels or trading it away in an improper manner. So far as the mass of the farmers of this country are concerned, I, like they, believe they might be trusted, and this is true about the great majority of men of all classes. We do not have policemen and build jails and enact severe penalties that will ever be applicable to the great majority of our fellow-citizens. But we do have to create these establishments, and we do have to make these laws, and we do have to take these precautions and erect these guards for that small minority of our fellow-citizens who, without such precautions, would overcome the influences of good society, take what did not belong to them, and cheat whosoever they could.

And so in this case, while the majority of the farmers, and especially those who are dealing in the smaller distilleries, might be worthy of trust, and while no trouble might arise from them, a system which puts the distillation of spirits in legitimate ways under strict surveillance and withdraws all surveillance, or all but occasional surveillance, from the residue is open to objection of a duplex form. First, it is unjust to our own revenue.

We draw annually \$137,000,000 from the legitimate production of spirits, and if we are going to have widespread, here, there, and everywhere all over this land, the free, the open, the uninspected or little inspected production of the alcohol base of spirits, is it not a self-evident proposition that with the gates wide open alcohol will flow and be constantly tempted to flow into illegitimate channels, to the detriment of the revenues of this country?

And more than that, Mr. President, when a business man respecting the laws of the land establishes his plant, spends his money, and pay his taxes like a good citizen, does not the Government owe it to him to see that he shall not be exposed to the hand of the spoiler and that the illegitimate shall not reap where he has sown?

The Commissioner of Internal Revenue fully understands this and has set it forth in a letter which I have before me. Here is what he says in furtherance of the policy indicated by the amendment which the committee has proposed to this bill. This letter has already been printed in the CONGRESSIONAL RECORD, and I read from it as follows:

The honest distiller would want him (the Government official) constantly present. The dishonest distiller would prefer to have him absent as many days as possible.

Now, why?

Alcohol pays a tax of \$2 a wine gallon, and it is absolutely necessary to put up every barrier possible against fraud, now that under the law it can be withdrawn free of this tax for certain purposes.

If it were possible to find a denaturing agent that could not be removed from the alcohol by process of redistillation, by passing over charcoal bodies, and by other chemical processes, then it would not be so necessary to guard every step of the new process.

Then he concludes:

There must be governmental supervision and surveillance to prevent the alcohol from being secretly and surreptitiously taken from the distillery where produced without the payment of tax and to prevent, after it has been denatured, its reclamation through chemical process and its restoration to its original alcoholic condition.

So, Mr. President, this recommendation of the committee is made with the firm and strong urgency of the Commissioner of Internal Revenue of the United States, or at least in furtherance of the principles and the analysis which he presents in this letter, a part of which will be found on page 36 of the hearings before the Senate committee.

I do not wish to prolong my remarks and will abstain from setting forth many considerations which could be easily gathered from papers and statements and testimonies which have been given in this regard. It should be noted, however, that the difference in tax in this country and in Germany is another differentiation between the situations in the two countries. The tax in Germany is 35 cents per gallon, whereas in this country it is \$1.10 per proof gallon and \$2.07 on alcohol. The conclusion from this differentiation is that as a matter of

monetary consideration the temptation to fraud is over five times as great in this country as in Germany.

It is said that the farmer can get over the difficulty of the transportation of his alcohol to the bonded warehouse where it can be denatured by putting it in tank cars. Undoubtedly those who control tank cars, who can furnish them sometimes and who can not furnish them at other times, will have a good thing in the trade brought to them. Where a farm is located close to a railroad and where the farmer can easily get the alcohol made upon his farm carried to the tank car, his position may be improved by this bill. But that is not the case with the great majority of the farmers of this country. Very few of them are so happily situated as to be able to avail themselves of those conditions.

Mr. President, I hope it is true, as we have been led to believe, that the introduction of the denaturing of alcohol is going to open an avenue of industry and of profit to the farmers of the United States. Of all classes of the American people I believe the farmers do more for the general prosperity and for the wholesome patriotic spirit of this country in proportion to what benefits they receive from lawmakers than any other portion of our population. I should welcome, and, indeed, it would give joy to my heart to see any law adopted that would enhance their prosperity and enable them to keep abreast with the progress of our times which is so great in other branches of human occupation.

But I do not wish at any time to be a party to deluding them with the impression that they have found a gold mine, when we can hardly base a substantial prophecy to a larger result than that this may open to their industry a new branch of endeavor, and may, after being worthily and intelligently cultivated, prove to them a new source of profit. But I do not believe in blind speculation or in speculation based upon hasty and immature suggestion or built up upon foundations which have not been surely tested.

If I were to vote for this bill, either with or without the provision for the superintendence of the agricultural distilleries by the officers of the revenue, I should cast my vote with misgiving. We already know that it is looked to to make another experiment next year. The whole subject is so befogged with the testimonies of conflicting interests that it is hard for anyone who has not had greater opportunity of research and reflection than I have had to form a clear and positive opinion. I incline to the opinion that it might be better to let this bill go over until the Commissioner of Internal Revenue shall further study this case and until those who are to prepare the law upon the subject shall give it more profound meditation. If the bill should pass, I hope it will pass with the small amendment I have suggested as to ether, and I apprehend if we do pass it, it will lead, as did the bill of last year, to a speedy sequel in seeking here new emendations and probably a reversal again of the doctrines upon which it is founded.

Mr. FRYE. I ask unanimous consent that the unfinished business may be temporarily laid aside for five minutes that I may report from the Committee on Commerce four bills.

Mr. HANSBROUGH. I will yield if it does not lead to debate.

Mr. FRYE. It will lead to no debate. My bills are never debated.

Mr. HANSBROUGH. I yield.

DAMS ACROSS THE SAVANNAH RIVER.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25848) permitting the building of a dam across the Savannah River at Andersonville Shoals, to report it favorably without amendment, and I ask unanimous consent for the present consideration of the bill.

The bill was read the first time by its title; and the Secretary proceeded to read it the second time at length.

Mr. FRYE. There is no need of reading these bills. They are identical, word for word, with four Senate bills which were passed yesterday.

Mr. ALDRICH. I think I shall have to object to that. A bill certainly ought to be read.

Mr. FRYE. Every one of these bills was read in the Senate yesterday, and passed.

Mr. ALDRICH. Not these House bills.

Mr. FRYE. These identical bills.

Mr. ALDRICH. Not the House bills. It will not take many minutes to read them. I do not think we had better adopt the precedent of not reading bills.

The bill was read the second time at length; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25850) permitting the building of a dam across the Savannah River at Trotters Shoals, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25846) permitting the building of a dam across the Savannah River at Calhoun Falls, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25847) permitting the building of a dam across the Savannah River at Hattons Ford, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I move that the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters Shoals, the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls, the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville Shoals, and the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons Ford, passed yesterday, identical with the four bills just passed, be recalled from the House of Representatives.

The motion was agreed to.

JAMES A. CARROLL.

Mr. HOPKINS. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 8699) for the relief of James A. Carroll, to report it favorably without amendment. On behalf of the senior Senator from Kansas [Mr. LONG], I ask for the immediate consideration of the bill.

Mr. HANSBROUGH. I do not think the Senator can do that under the rule.

The VICE-PRESIDENT. The Senator has the floor in his own right, and is now occupying it.

Mr. HANSBROUGH. Has the Senator from Maine finished?

Mr. HOPKINS. He has finished.

The VICE-PRESIDENT. He has finished.

Mr. HOPKINS. This will take but a moment.

Mr. HANSBROUGH. I have declined to yield to several other Senators who asked me for the same privilege; but as the Senator has made the report, I will yield.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Postmaster-General to cause the accounts of James A. Carroll, postmaster at Randall, Kans., to be credited with the sum of \$99, being on account of the loss of \$99 in postal funds lost in transit.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I call for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. In section 4, page 4, line 4, after "distilleries," it is proposed to insert:

Except the provisions of section 3284 of the Revised Statutes.

The VICE-PRESIDENT. The question is on agreeing to the amendment which has been stated.

Mr. ALDRICH obtained the floor.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas rise to debate the pending question?

Mr. CULBERSON. Not if the Senator from Rhode Island desires to discuss it.

Mr. ALDRICH. Yes; I do desire to discuss it; but I will yield to the Senator if he desires to go on.

Mr. CULBERSON. My purpose was simply to make a suggestion as to the vote.

Mr. ALDRICH. Mr. President, I desire on behalf of the committee to make some response to the suggestions which have been made by the Senator from Oregon and the two Senators from North Dakota and the Senator from Montana as to the effect which the amendment suggested by the committee would have upon the practical operation of the law.

The Senators, especially the Senator from North Dakota, said that it would be impossible, or practically impossible, to have the storekeepers present, without long delay and serious inconvenience, at the time farm distilleries would be in operation, his idea being that on rainy afternoons and evenings and any time when the farmer had two or three hours at his disposal he would enter upon the work of distilling 8 or 10 gallons of alcohol, either for his own use or for sale, and that he could not do this under this bill if the amendment of the committee were adopted.

As the Senator from Iowa [Mr. ALLISON] pointed out yesterday, distillation is a continuous process and requires three days for completion. It can not be done on a rainy afternoon. It can not be done at odd hours, when there is nothing else to be done. When it is once commenced, it must continue for three days consecutively, and therefore the suggestion as to the nature of the work the farmer might do is not borne out by the facts.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Dakota?

Mr. ALDRICH. For a question.

Mr. HANSBROUGH. I desire to ask the Senator from Rhode Island if he is familiar with the process of making alcohol?

Mr. ALDRICH. I am more or less familiar with it. I have had occasion to study it for a long time. But I have never been present in a distillery when alcohol was being made.

Mr. HANSBROUGH. Let me say this, for the information of the Senator:

The farmer who has a small still comes in from the fields when it rains and he starts his mill and grinds some corn. It may be for one hour or two hours or three hours. If the sun comes out again, he goes back to his field. If it rains again, he takes the corn meal which he has ground and he puts it into a vat and makes mash of it. When the sun comes out again, he goes back to his field. In due course of time that mash becomes sour, and when it rains again the farmer goes in and puts water in the vat, and so on until he prepares what is known as the "beer" or the "wort" for the still. That is the way the farmer puts in those two hours when it rains and he can not work in the field.

Under the amendment which is in this bill and which the Senator wants to keep in the bill the farmer could not do any of those things unless there was a storekeeper present when he ground his corn and made his mash and prepared the material to make the alcohol.

Mr. ALDRICH. I am sorry the Senator from North Dakota is not a more accurate instructor.

Mr. HANSBROUGH. I should like to have the Senator explain wherein I have made any misstatement.

Mr. ALDRICH. There are several processes which the Senator did not mention.

Mr. HANSBROUGH. This is one.

Mr. ALDRICH. There are several that the Senator did not mention, and his suggestion as to the method is not accurate. Of course the grain has to be ground. There is no doubt about that. It might be ground for distillery purposes without the presence of an officer. It is put into a vat and the process of fermentation is commenced; this goes on continuously after it has once commenced. A man can not go in and stop the process of fermentation, if he happens to have something else to do or if it does not happen to be a rainy day. After fermentation and distillation the spirits go under this to a locked tank, and then for the production of alcohol there has to be redistillation.

For this there has to be different machinery, altogether outside of ordinary distilling machinery for the production of distilled spirits. The process has to go on, whatever may be the occupation or the engagements of the distiller.

Mr. McCUMBER. Will the Senator yield for a question for information?

Mr. ALDRICH. Certainly.

Mr. McCUMBER. Under the bill as now reported by the committee would it or would it not be necessary for the store-

keeper to be present during the grinding of this material and the using of it in any way?

Mr. ALDRICH. Not unless the grinding was done on the distillery premises.

Mr. McCUMBER. Suppose the farmer has a distillery in his granary, or a part of it. He has his corn there where it is up for the winter, and he commences his work there and grinds it there and he puts it into a vat there. Under the bill is it not necessary for the storekeeper to be present?

Mr. ALDRICH. Under the law as it now stands every operation, if it is carried on within the distillery premises, is under the direction and control of a Government officer.

Mr. McCUMBER. Then, is not my colleague's statement absolutely true that if the farmer should come in from his farm during a rain and wanted to put in two hours toward grinding of this corn in the distillery, wherever he wants to use it in the same building, he would have to have a storekeeper or inspector present?

Mr. ALDRICH. If it was in the distillery; yes. I have already answered that question. If it was outside the distillery, no.

Mr. McCUMBER. If he had it in two separate buildings, the distillery would mean the building in which the distilling was done, would it not?

Mr. ALDRICH. Exactly. It is all set forth in great detail in the law as it stands as to what the distillery shall be.

Mr. McCUMBER. The provision of the law reads:

That every distiller or person employed in any distillery who, in the absence of a storekeeper, or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits—

Mr. ALDRICH. The Senator from North Dakota does not need to read that.

Mr. McCUMBER. I simply want to call the Senator's attention to it.

Mr. ALDRICH. The language of the section is absolutely explicit.

Mr. McCUMBER. Therefore the Senator says it must be done in the presence of the storekeeper.

Mr. ALDRICH. Any step the distiller takes in the distillation of spirits must be done with the presence of a storekeeper.

Mr. McCUMBER. Not only the distilling, but all the things that must precede the distilling?

Mr. ALDRICH. Oh, no; not at all.

Mr. McCUMBER. The fermentation is not distilling.

Mr. ALDRICH. Fermentation is the process of distilling.

Mr. McCUMBER. It precedes it.

Mr. ALDRICH. It is an essential part of the process of distillation.

The next reason given by these Senators for objecting to this provision is that it would be very inconvenient, if not impossible, to send for a storekeeper or Government inspector when the farmer desired to commence the operation of distilling. I stated yesterday, and I repeat that statement to-day on the authority of the Commissioner of Internal Revenue, that under no circumstances whatever would he think of permitting operations in one of these stills to be commenced without the presence of a Government officer, that he would insist that the distillery should be inspected first, and that the commencement of operations should be in the presence of a storekeeper or some other officer who would discharge the duties of a storekeeper.

So all this talk about the inconvenience of sending for a Government officer to be present when this operation is commenced might as well be eliminated from this discussion. The Commissioner says that under no circumstances would he think of permitting distilling to be commenced without the presence of an officer. Therefore the only question here is as to whether, after the officer gets there, he shall remain to supervise and inspect the business of distilling while this is going on.

Both the Senators from North Dakota seem to think that you can commence this process and then arrest nature at some stage in it to meet the conditions of the weather or the convenience of the distiller. It can not be done.

I wish to say further to both those Senators that it requires great skill and knowledge to properly conduct the various operations connected with the production of alcohol. Distillers pay large salaries to men who watch and superintend the process at its various stages. I imagine there is not a farmer in North Dakota, unless he was instructed, who could undertake successfully to make alcohol out of any kind of material which he might have. This requires a technical knowledge. I assume in this connection that the Government storekeeper instead of being a hindrance to the farmer would be really of great help to him.

It seems to me that all this talk about the inconvenience or impossibility of getting storekeepers goes for nothing.

Mr. FULTON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oregon?

Mr. ALDRICH. Certainly.

Mr. FULTON. Under the bill as it comes from the House and as it is without the amendment proposed by the Finance Committee, if it shall develop that it is necessary in the interest of the Government to have these storekeepers there the Commissioner can assign one. It is not necessary in order to give the Commissioner authority to adopt this amendment. Without the amendment it is in the discretion of the Commissioner to assign a storekeeper if it shall develop that it is necessary. But the amendment requires him to do it whether it shall be necessary or not.

Mr. ALDRICH. Oh, no.

Mr. FULTON. I beg the Senator's pardon; I think it does.

Mr. ALDRICH. Does the Senator from Oregon think if the Commissioner should decide that the interest of the Government or the protection of the revenue required the storekeeper to be present that that would vitiate this bill and destroy its effect?

Mr. FULTON. I think it would destroy the effect that is desired; it would prevent the result that is sought. I do think that.

Mr. ALDRICH. In what way would it destroy the effect?

Mr. FULTON. I have been over that ground, and I do not want to take up the Senator's time to explain it. I think the Senator fully understands my position. I will simply say now that it is not necessary in order to have the storekeeper assigned to have the amendment. If it shall develop that it is necessary to protect the rights of the Government to have a storekeeper, the Commissioner can assign one.

Mr. ALDRICH. The Commissioner himself asserts that he will, under no circumstances, think of allowing a distillery to commence operations until it has been properly inspected and unless an officer is present to superintend the initial operations.

Mr. McCUMBER. Let me ask the Senator this question: We will suppose that there are 10,000 farmers owning 10,000 different stills, and they all wish to commence about the same time. Does the Senator believe that there will be 10,000 inspectors furnished to be present at each place?

Mr. ALDRICH. Why not? There must be, even if the amendment of the committee should not be adopted.

Mr. McCUMBER. Simply because we have not got funds enough to pay them.

Mr. ALDRICH. They would have to be present under the law as it now stands. Does the Senator say the Government has not funds enough to pay 10,000 inspectors?

Mr. McCUMBER. We have not appropriated enough to pay 10,000 inspectors.

Mr. ALDRICH. There will not be 10,000 distilleries in existence in this country immediately. I suppose the Senator does not think there will. I presume we will have an opportunity to appropriate money for that purpose before we shall have 10,000 distilleries.

Mr. McCUMBER. I will say to the Senator that I think to have one inspector for every little still in the country would be committing this country to the worst character of extravagance, where we would be paying thousands of dollars and getting nothing whatever in return.

Mr. ALDRICH. That is a new argument.

Mr. McCUMBER. It is not a new argument.

Mr. ALDRICH. That is a new argument. As I stated yesterday, if one of these distillers, in the process of running his product from the distillery to the tank, should subtract 1 gallon a day, the loss of revenue would equal the sum paid the storekeeper. These storekeepers are paid during their services, and at the small distilleries they are paid \$2 a day. In the mountain districts of North Carolina and in other communities where small stills are located, the minimum pay is \$2 a day. They are paid only while they are actually at work. There is no trouble whatever in securing any number of inspectors or storekeepers for this work. When not engaged in inspecting they are engaged in their regular occupation, whatever it may be. As a matter of practical operation, there is no difficulty whatever in securing this inspection whenever and as long as it is wanted in any part of the United States.

I should be glad to have any Senator give a reason why these precautions should not be adopted and why these inspectors should not be present when these distilleries are in operation. The Senators first insisted it would not be convenient. They then insisted that storekeepers could not be found, and then that

it would cost a very large sum of money, and altogether that the presence of storekeepers would in some mysterious way prevent the operation of these small distilleries. There is not one line in this amendment or in the bill which creates a single obstacle in the way of the production of alcohol in these small distilleries, either in the way of expense or otherwise.

The presence of these storekeepers would, in my judgment, be an assistance to small distillers.

Now, as to my own attitude and that of the Finance Committee to the bill under consideration, both the Senator from Iowa [Mr. ALLISON] and the Senator from Wisconsin [Mr. SPOONER] have said that there was no member of the committee who was not heartily in favor of the ideas which are involved in this legislation. We believe there should be, in the public interest, the greatest possible use, consistent with safety to the revenue, of alcohol for use in the arts and in the industries free of tax. There is no member of the committee who is not heartily in favor of the objects sought by the adoption of this fourth section, giving additional privileges to small distilleries.

I can not imagine a man who would be so shortsighted as to say, if it were possible in any community to establish these distilleries and carry them on with safety to the revenue, they should not be carried on. I can see that very great advantage to both producer and consumer would come from the successful production of alcohol in this manner. If it can be produced at the price the Senators say it can, and in the way they say it can, the benefit to the country at large and to every community in the country as well as to individual consumers will be very great. But that being true, can any Senator give me a good reason why the revenue should not be protected, when it can be done without delaying or imperiling the object sought and without any expense or hindrance to those who operate these small distilleries?

This amendment, then, has only this one purpose, to provide an effective safeguard for the Government during the trial of this experiment, because there is no Senator who will assert that this is not an experiment. It is not offered in any spirit of antagonism to the purpose of the bill, which has my hearty support and that of the other Members of the committee that reported it. We do not offer it with any intention to delay the possible consummation of the objects its friends have in view. If frauds upon the revenue follow this legislation the experiment will result disastrously to the hopes of all those who believe that very great good will surely come to the industries of the country if they are permitted the use of alcohol free of tax.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee. [Putting the question.] By the sound the "noes" seem to have it.

Mr. ALDRICH. I think we had better have a vote by yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CARTER (when his name was called). Mr. President, I rise to a parliamentary inquiry. The question as I understand it is on agreeing to the committee amendment.

The VICE-PRESIDENT. That is the pending question.

Mr. CARTER. Those opposed to the amendment will vote "nay," and those in favor of it will vote "yea."

The VICE-PRESIDENT. That is correct.

Mr. CARTER. I vote "nay."

Mr. CLAPP (when his name was called). Mr. President, I have just entered the Chamber, and I do not know what the question is.

The VICE-PRESIDENT. The question is on the amendment of the committee on page 4 of the bill.

Mr. CLAPP. I vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I do not know whether any transfer can be made so as to enable me to vote. For the present I withhold my vote.

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is absent. I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WARNER (when Mr. STONE's name was called). My colleague [Mr. STONE] is detained from the Chamber by sickness.

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I therefore withhold my vote.

The roll call was concluded.

Mr. CULLOM. I am informed that I can transfer my pair with the junior Senator from Virginia [Mr. MARTIN] to the Senator from Iowa [Mr. DOLLIVER] and vote. I vote "yea."

Mr. McCUMBER. I was requested to state that the junior

Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent, and that if he were present he would vote "nay" on this amendment.

Mr. KITTREDGE (after having voted in the negative). I inquire if the junior Senator from Colorado [Mr. PATTERSON] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. KITTREDGE. I have a general pair with the junior Senator from Colorado, and for that reason I withdraw my vote.

Mr. CLAPP. My colleague [Mr. NELSON] is detained at his home by illness. If he were present, he would vote "nay."

Mr. KITTREDGE. I am assured that my general pair, the junior Senator from Colorado [Mr. PATTERSON] would, if present, vote "nay," and therefore I will permit my vote to stand.

The result was announced—yeas 16, nays 47, as follows:

YEAS—16.

Aldrich	Flint	Heyburn	Scott
Allee	Foraker	Hopkins	Smoot
Ankeny	Gallinger	Kean	Teller
Cullom	Hale	Lodge	Wetmore

NAYS—47.

Berry	Curtis	Latimer	Perkins
Beveridge	Depeu	Long	Pettus
Blackburn	Dillingham	McCreary	Piles
Brandegee	Dubois	McCumber	Proctor
Bulkeley	Du Pont	McEnery	Rayner
Burkett	Frazier	McLaurin	Simmons
Burnham	Frye	Mallory	Smith
Carter	Fulton	Millard	Sutherland
Clapp	Gamble	Mulkey	Tillman
Clark, Mont.	Hansbrough	Newlands	Warner
Clay	Kittredge	Overman	Whyte
Culberson	Knox	Penrose	

NOT VOTING—27.

Allison	Crane	Hemenway	Patterson
Bacon	Daniel	La Follette	Platt
Bailey	Dick	Martin	Spooner
Burrows	Dolliver	Money	Stone
Carmack	Dryden	Morgan	Taliaferro
Clark, Wyo.	Elkins	Nelson	Warren
Clarke, Ark.	Foster	Nixon	

So the amendment was rejected.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Virginia [Mr. DANIEL].

The SECRETARY. On page 1, line 8, after the word "may," insert the words "after January 1, 1908."

Mr. HANSBROUGH. I hope that amendment will be disagreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. Having been read three times, shall the bill pass?

Mr. LODGE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but I transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER], and vote. I vote "yea."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is temporarily absent. I do not know how he would vote, if present, and therefore I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WARREN (when his name was called). I again announce my pair with the senior Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. He is not present, and I therefore withhold my vote.

Mr. ALDRICH. The Senator from Iowa [Mr. ALLISON] is necessarily absent from the Chamber. He is paired with the Senator from Alabama [Mr. MORGAN]. If the Senator from Iowa were present, he would vote "yea."

The result was announced—yeas 65, nays 1, as follows:

YEAS—65.

Aldrich	Blackburn	Carter	Cullom
Allee	Brandegee	Clapp	Curtis
Ankeny	Bulkeley	Clark, Mont.	Daniel
Bacon	Burkett	Clay	Depeu
Berry	Burnham	Crane	Dillingham
Beveridge	Burrows	Culberson	Dubois

Du Pont	Hopkins	Mallory	Smith
Flint	Kean	Millard	Smoot
Foraker	Kittredge	Mulkey	Sutherland
Frazier	Knox	Newlands	Teller
Frye	Latimer	Overman	Tillman
Fulton	Lodge	Penrose	Warner
Gallinger	Long	Perkins	Wetmore
Gamble	McCreary	Piles	Whyte
Hale	McCumber	Proctor	
Hansbrough	McEnery	Rayner	
Heyburn	McLaurin	Simmons	

NAYS—1.

Pettus

NOT VOTING—24.

Allison	Dolliver	Martin	Platt
Bailey	Dryden	Money	Scott
Carmack	Elkins	Morgan	Spooner
Clark, Wyo.	Foster	Nelson	Stone
Clarke, Ark.	Hemenway	Nixon	Tallaferro
Dick	La Follette	Patterson	Warren

So the bill was passed.

Mr. HEMENWAY subsequently said: Mr. President, I desire to say that I was unexpectedly called from the Chamber to attend a meeting of a conference committee when the vote on the denatured-alcohol bill was taken. I am in favor of the bill and would have voted for it had I been present.

POST-OFFICE APPROPRIATION BILL.

Mr. PENROSE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 14, 16, 21, 22, 23, 32, 35, 39, 40, and 41.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 24, 25, 26, 27, 28, 29, 30, 34, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out "one hundred and five" and insert "ninety-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out "one hundred" and insert "eighty;" and the Senate agree to the same.

BOIES PENROSE,
REDFIELD PROCTOR,
A. S. CLAY,

Managers on the part of the Senate.

JESSE OVERSTREET,
J. J. GARDNER,
JOHN A. MOON,

Managers on the part of the House.

The report was agreed to.

ST. JOSEPH RIVER DAM, MICHIGAN.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25832) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich., to report it without amendment, and I invite the attention of the Senator from Michigan [Mr. BURROWS] to that fact.

The VICE-PRESIDENT. In the absence of objection, the report will be received.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BIRCHIE O. MAHAFFEY, AND OTHERS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 23630) authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugott F. Keller as second lieutenants in the United States Army, to report it without amendment; and as it consists of only five lines I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint Birchie O. Mahaffey, John A. Cleveland, and

Traugott F. Keller as second lieutenants in the United States Army, notwithstanding the bar of age.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. WARREN. I ask that the marked portions of the report on this case made by Mr. SLAYDEN, from the Committee on Military Affairs in the House of Representatives, be printed in the RECORD.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The matter referred to is as follows:

REPORT OF THE MILITARY SECRETARY.

The records of this Office afford information in these cases as follows:

The following-named five cadets of the class of 1902, United States Military Academy, were discharged, by War Department orders, May 21, 1901, for insubordination or hazing: Henry L. Bowlby, of Nebraska; John A. Cleveland, of Alabama; Traugott F. Keller, of New York; Raymond A. Linton, of Michigan, and Birchie O. Mahaffey, of Texas. In February, 1905, Representative MORRIS SHEPPARD handed to the President a letter from General Mills, superintendent of the academy, of December 27, 1904, favoring the appointment of these dismissed cadets in the Army. February 25, 1905, the Secretary of War advised Mr. SHEPPARD that the President had handed him the letter from General Mills in regard to the appointment of these young men, and said:

"I suggest that the proper course for them" [the five ex-cadets] "to pursue is to file applications with the War Department setting forth all the facts, and also a statement of what they have done since they were dismissed, and I will bring the matter to the attention of the President, who, upon the facts as presented, is favorable to the granting of their applications should there be vacancies enough."

In March, 1905, Mr. Mahaffey's father and several citizens of Texas petitioned, through Representative SHEPPARD, for his appointment as second lieutenant, and on April 8 the Secretary of War advised Mr. SHEPPARD that he would unhesitatingly recommend Mr. Mahaffey's appointment only for the fact that he had become disqualified on account of age.

In the meantime Mr. Cleveland and Mr. Keller had also become ineligible for appointment on account of age, leaving only Mr. Bowlby and Mr. Linton on the eligible list. The appointment of the two latter was urged from time to time by Representatives SHEPPARD of Texas; HINSHAW, of Nebraska, and FORDNEY, of Michigan. Subsequently Messrs. Bowlby and Linton were designated for examination for appointment with the other civilian candidates at Fort Leavenworth, Kans., in December last, but it appears that both had obtained satisfactory employment and did not desire the appointment, and hence declined the designation.

In December last Representative SHEPPARD reminded the Secretary of War of his statement of April 8, 1905, that he would have recommended Mr. Mahaffey's appointment only for the fact that he had become disqualified on account of age, and requested the Secretary to make a statement to the same effect in the cases of Cleveland and Keller. In reply to this the Secretary of War advised Mr. SHEPPARD, December 27, 1906:

"That were it not for the disqualification on account of age I would have also recommended the appointment of Messrs. Cleveland and Keller, with the approval of the President."

The present ages of the three persons named in the bill are: Cleveland, 30 years and 10 months; Mahaffey, 29 years and 7 months, and Keller, 27 years and 10 months. The age limit fixed by regulations for candidates for appointment as second lieutenants is 27 years, but this is a matter of regulation, not of law.

Respectfully submitted.

F. C. AINSWORTH,
The Military Secretary.

PATRICK NADDY.

Mr. PERKINS. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 20128) to complete the naval record of Patrick Naddy, to report it favorably without amendment, and as it is a bill of only eight lines, I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Navy to so amend the naval record of Patrick Naddy, late first-class boy, United States Navy, on United States receiving ship *North Carolina* and U. S. S. *Galena* and *Princeton*, as to show him honorably discharged, to date from June 30, 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REVISION AND CODIFICATION OF THE LAWS.

Mr. SPOONER. I am instructed by the Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 240) to create a joint committee to consider the revision and codification of the laws of the United States, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that a joint special committee be appointed, consisting of five Senators, to be appointed by the Vice-President from Members of the Sixtieth Congress, and five Members of the House of Representatives, to be appointed by the Speaker from the Members of the Sixtieth Congress, to examine, consider, and submit to Congress recommendations upon the revision and codification of laws reported by the statutory revision commission heretofore authorized to revise and codify the laws of the United

States, including the laws of the last session of the Fifty-ninth Congress; and that the said joint committee be authorized to sit during the recess of Congress and to employ necessary assistants, to order such printing and binding done as may be required in the transaction of its business, and to incur such expense as may be deemed necessary, all such expense to be paid in equal proportions from the contingent funds of the Senate and House of Representatives.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-LAND LOCATIONS IN ALASKA.

Mr. FULTON. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entries under the coal-land laws applicable to Alaska. I called the bill up this morning. I think there will be no objection to it now. The bill has been read.

Mr. ALDRICH. I suggest that the bill be again read, Mr. President.

The VICE-PRESIDENT. The Secretary will read the bill, at the request of the Senator from Rhode Island.

The Secretary proceeded to read the amendment in the nature of a substitute reported by the Committee on Public Lands.

Mr. HANSBROUGH. Mr. President, it is quite evident that some explanation will have to be made of that bill, and as the bill was first reported by the Senator from Minnesota [Mr. NELSON], who is absent on account of temporary illness, as I understand, I object to its present consideration.

Mr. FULTON. I hope the Senator will withhold his objection for a moment. This bill has been explained several times, and I think the Senate pretty thoroughly understands it. It is one in which the Senator from Minnesota [Mr. NELSON] has taken a very deep interest, because he has studied the subject very carefully and very profoundly.

Mr. HANSBROUGH. I will withdraw my objection, but I reserve the right to renew it. If the bill leads to debate, I shall have to object.

Mr. SCOTT. I will renew the objection, because it is a bill of too great importance to be taken up now.

The VICE-PRESIDENT. Objection is made.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

Mr. PENROSE. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, and ask that the same be printed for the information of the Senate. I give notice that I will call it up to-morrow morning.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment, and agree to the same with amendments as follows:

In line 3, page 1, strike out the word "and" and insert "or" in said amendment.

In line 13, page 1, strike out the word "corporation" and insert in lieu thereof the words "common carrier" in said amendment.

In line 13, page 2 of said amendment, after the word "continue," insert "or can go;" and in the same line strike out the four concluding words of said line, reading "or go on duty."

In line 14, page 2, of said amendment, after the word "eight," insert the word "consecutive."

In lines 14 and 15, page 2, strike out the words "within such twenty-four-hour period."

In line 15, page 2, strike out the concluding word "operator."

In line 16, page 2, after the word "dispatcher," insert the words "or dispatcher's operator in the dispatcher's office."

In lines 17 and 18, page 2, strike out "dispatches reports, transmits, receives, or delivers" and insert in lieu thereof "issues."

In line 20, page 2, strike out the word "nine" and insert in lieu thereof the word "eight."

In lines 21, 22, 23, and 24, page 2, strike out the words "in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the

daytime" and insert in lieu thereof "and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders) or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period."

In line 9, page 3, after the word "suits," insert the words "to be."

In line 13, page 3, strike out the word "verified."

In line 15, page 3, strike out the words "three years" and insert "one year."

In line 21, page 3, after the word "of," insert the word "all;" and in the same line strike out the words "duly authorized" and insert in lieu thereof the words "officers and."

In line 24, page 3, after the word "its," insert the words "officer or."

In lines 1 and 2, page 4, strike out the words "with the exercise of reasonable prudence."

Strike out all of lines 7 and 8, page 4, and insert in lieu thereof "and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act."

And the Senate agree to the same.

BOIES PENROSE,
FRANK P. FLINT,

Managers on the part of the Senate.

W. P. HEBURN,
J. S. SHERMAN,

Managers on the part of the House.

Mr. CULLOM. Mr. President, I hope that the bill will be printed as proposed to be amended by the conference committee.

Mr. PENROSE. In connection with the report I join with the Senator from Illinois in the request for unanimous consent to have inserted in the RECORD a copy of the bill as it will read with the amendments proposed by the conferees. I will have the bill prepared for the Public Printer in a short time.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none, and it is so ordered.

The bill as proposed to be amended by the conferees is as follows:

Be it enacted, etc., That the provisions of this act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia or any Territory of the United States, or from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "employees" as used in this act shall be held to mean persons actually engaged in or connected with the movement of any train.

SEC. 2. That it shall be unlawful for any common carrier, its officers or agents, subject to this act to require or permit any employee subject to this act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty, without having had at least eight consecutive hours off duty: *Provided*, That no train dispatcher or dispatcher's operator in the dispatcher's office or other employee who by the use of the telegraph or telephone issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period, and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders), or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three consecutive days in any week.

SEC. 3. That any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be liable to a penalty of not to exceed \$500 for each and every violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon satisfactory information being lodged with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers or agents: *Provided*, That the provisions of this act shall not apply in any case of casualty or unavoidable acci-

dent or the act of God; nor where the delay was the result of a cause not known to the carrier or its officers or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, That the provisions of this act shall not apply to the crews of wrecking or relief trains.

Sec. 4. It shall be the duty of the Interstate Commerce Commission to execute and enforce the provisions of this act, and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act.

Sec. 5. That this act shall take effect and be in force one year after its passage.

UNION STATION.

Mr. HANSBROUGH. Mr. President, I move that the Senate proceed to the consideration of House bill No. 9329.

Mr. DEPEW. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from New York?

Mr. HANSBROUGH. I prefer that the Senator should wait until the bill is taken up for consideration.

The VICE-PRESIDENT. The Senator from North Dakota moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a union station in the District of Columbia, and for other purposes."

Mr. KEAN. I hope that that will not be done at the present time, as that bill will create a great deal of discussion.

Mr. HANSBROUGH. Mr. President, if I can have the attention of the Senate for a few minutes—one minute will be enough for me—I desire to state that on the 16th of February—

Mr. ALDRICH. I suggest that debate is not in order upon the pending motion.

Mr. PENROSE. Mr. President—

Mr. HANSBROUGH. I trust that the opponents of this bill will not undertake to take me off my feet and thus deny me the usual courtesies of the Senate.

Mr. ALDRICH. The rules of the Senate take the Senator off his feet, and not any Senator.

Mr. HANSBROUGH. I know; but those rules can sometimes be resorted to for purposes that are somewhat questionable.

Mr. PENROSE. Mr. President—

Mr. HANSBROUGH. I ask unanimous consent that I be permitted to speak for one minute.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The Senator from North Dakota has not yielded the floor. The Chair will recognize the Senator from Pennsylvania when the Senator from North Dakota yields the floor.

Mr. PENROSE. I understood that debate was out of order and that the Senator from North Dakota was not in order.

The VICE-PRESIDENT. The Senator from North Dakota was recognized to make a motion. He made a motion and requested permission of the Senate to make a statement for one minute. Is there objection to the request? The Chair hears none.

Mr. HANSBROUGH. Mr. President, I was about to say that on February 16, by direction of the Committee on the District of Columbia, I reported to the Senate a bill which had passed the House of Representatives unanimously, and I asked unanimous consent that it be considered. Unanimous consent was given and the bill was considered and it was passed here. I retired from the Chamber, and about ten minutes afterwards a Senator came in and moved to reconsider the vote by which the bill was passed, and that motion was agreed to.

Mr. President, I have not felt quite right about this matter since that time, for the reason that it seemed to me that common courtesy would have demanded that the Senator who moved to reconsider the vote by which that bill was passed should have allowed that motion to rest while the Senator who had secured the passage of the bill was away from the Chamber. So the bill went to the Calendar, and has been resting there ever since under Rule IX, requiring a motion to take it up before it can be laid before the Senate. I make that motion at this time.

Mr. President, let me state further that this bill extends the smoke law in the District of Columbia to all locomotive engines in the District. It does not require the electrification of any railroad in the District, but it requires the railroad corporations owning the locomotives to do precisely what the people in this District have been required to do for several years past. That is all there is to it.

I will leave the matter with the Senate, and if the Senate desires to take up the bill I shall be very glad to discuss it. If it desires to vote the motion down, of course, I shall have to abide the result.

Mr. GALLINGER. I ask unanimous consent to make a statement covering one or two minutes in connection with this matter.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from New Hampshire? The Chair hears none.

Mr. GALLINGER. I simply desire to say, Mr. President, that this bill was reported not with the concurrence of the chairman of the Committee on the District of Columbia, and if it is taken up it will lead to a very lengthy discussion. The Senate can do about it as it pleases.

PROPOSED EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

Mr. DANIEL. Mr. President—

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of executive business.

Mr. DANIEL. Just a moment.

Mr. SCOTT. I hope that motion will not prevail.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Maine?

Mr. HALE. Will the Senator yield to me for a statement about the order of business?

Mr. HANSBROUGH. Mr. President, am I not entitled to a vote on the motion I made that the Senate take up a bill?

The VICE-PRESIDENT. Not pending a motion to proceed to the consideration of executive business.

Mr. HALE. Mr. President—

Mr. PENROSE. I yield to the Senator from Maine.

Mr. HALE. The conference report on the sundry civil appropriation bill is being put into form by the clerk. It will be here in a few minutes, and if the Senate goes into a session for executive business, when that report is ready I shall hope that the Senate will return to the consideration of legislative business in order that we may take up that report, which of course is very important in connection with the absolutely necessary business of the Senate.

Mr. BLACKBURN. That is right.

Mr. PENROSE. I renew my motion, Mr. President.

Mr. SPOONER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Wisconsin?

Mr. PENROSE. I do.

Mr. CARTER. I call for the question.

Mr. SCOTT. It is not fair to those of us who have been waiting here with bills expecting to be recognized to be thus taken off our feet.

The VICE-PRESIDENT. Does the Senator from Pennsylvania insist upon his motion?

Mr. PENROSE. I insist upon my motion.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ADAMS.

Mr. SPOONER. I desire to give notice that to-morrow, after the Senate shall have considered the resolutions relative to the death of the Hon. JOHN F. RIXEY, of Virginia, I shall ask the Senate to take up and consider resolutions relative to the death of the late Hon. HENRY C. ADAMS, a Representative in Congress from Wisconsin.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE KETCHAM.

Mr. DEPEW. I wish to give notice that on Saturday, the 2d instant, following the eulogies on the late Representative ADAMS, I will ask the Senate to consider resolutions commemorative of the life, character, and public services of Hon. JOHN H. KETCHAM, late a Representative from the State of New York.

The VICE-PRESIDENT. The notice will be entered.

UNION STATION.

The VICE-PRESIDENT. The question recurs on agreeing to the motion of the Senator from North Dakota [Mr. HANSBROUGH] to proceed to the consideration of the bill the title of which will be stated.

The SECRETARY. A bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a union station in the District of Columbia, and for other purposes."

Mr. HANSBROUGH. I am willing to take the yeas and nays, if they are desired.

Mr. GALLINGER. Let the motion be put.

Mr. DANIEL. I ask unanimous consent—

The VICE-PRESIDENT. The Chair will put the motion of the Senator from North Dakota.

Mr. CLAY. I suggest to the Senator that it will be utterly impossible to get a vote on the bill to-day. I am sure it will be discussed for hours.

The VICE-PRESIDENT. The Senator from North Dakota moves that the Senate proceed to the consideration of a bill the title of which has been stated.

Mr. CLAY. Mr. President—

The VICE-PRESIDENT. This is not a debatable question.

Mr. LODGE. Regular order!

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was not agreed to.

SENECA NATION OF INDIANS.

Mr. DEPEW. I ask unanimous consent for the present consideration of the bill (S. 8540) to ratify a certain lease with the Seneca Nation of Indians. It is only six lines long.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It ratifies and confirms a lease bearing date September 21, 1906, between the Seneca Nation of Indians on the Cattaraugus and Allegany reservations, in the State of New York, and Charles M. L. Ashby, of Erie County, N. Y.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL APPROPRIATION BILL.

Mr. HALE. I ask that the message from the House on the naval appropriation bill may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives insisting on its disagreement to the amendment No. 1 of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

Mr. HALE obtained the floor.

Mr. TILLMAN rose.

Mr. HALE. I was about to move that the Senate recede from its amendment, but I yield to the Senator from South Carolina.

Mr. TILLMAN. Mr. President, I desire to make a brief explanation to the Senate as to what is involved in this item, and I shall content myself with a mere statement of the facts and then rely on the good judgment of this body to do whatever it sees fit.

The item involves an appropriation of \$50,000 to enable the Navy Department to utilize as a training station the land and buildings already at Port Royal. There are, I believe, five training stations already in existence; four I know; two on the Great Lakes under construction; one at Coasters Harbor, near Newport, and one on the Pacific coast. There is none at all in the South. Some twenty years ago or thereabouts the United States entered upon the construction of a naval station at Port Royal and expended, all told, in the neighborhood of a million and a half dollars there, some \$475,000 of which was for the construction of a great dry dock made of wood. The balance of the appropriation, amounting to over \$900,000, was spent in the building of a steel wharf, a coaling plant, of large brick buildings for the various departments of the Navy—engineering, construction, and repair, officers' quarters, and all that sort of thing. And those buildings are new. About \$900,000 was spent in the purchase of land and in the erection of these buildings for the use of the proposed navy-yard.

Some seven years ago the Navy Department of its own motion suggested that Charleston was a better place than Port Royal, and the Senate and the House agreed to the appointment of a board of officers by the Secretary of the Navy to consider the relative advantages of the two places and determine which was the better at which to build a navy-yard. That board, with the exception of one, reported in favor of Charleston.

Thereupon Congress authorized the transfer of the Port Royal station to Charleston, and there has been no money spent at Port Royal since, except to take care of the Government property there. There is a small force of marines or care takers, possibly fifteen or twenty men; I do not know just how many, but a very insignificant number. There are there these large new buildings, with this magnificent wharf and all the appliances for a training station already in existence, already paid for, and in a climate which enables the use of water in the training of the seamen practically every day in the year, because there never is any ice there in the salt water and never or rarely any in the fresh water.

This item merely proposes—and it is at the suggestion of

the Navy Department and at the request of the Bureau of Navigation—that the Government shall appropriate \$50,000, which will enable them to adapt these buildings to the use of the Navy, in changing these large brick structures to barracks, so as to enable them to quarter the recruits when they shall have been enlisted and go into training.

The cause of this suggestion on the part of the Navy Department for the utilization of these buildings is this: Two years ago an epidemic of meningitis broke out at Newport, and Admiral Converse, in his hearing before the House committee, stated that the danger of the spread of that disease among recruits caused him to transfer 3,000 men to Norfolk and camp them in tents. Therefore he requested that the Senate should put an item in the last appropriation bill providing for the changing of Port Royal into a training station.

When the House disagreed to it last summer and resisted the amendment, the Secretary of the Navy, after adjournment of Congress, by executive order transferred these buildings to the Bureau of Navigation, taking all the other bureaus out of any association or connection with Port Royal; and this \$50,000 is simply the money necessary to build the latrines and wash houses and prepare these buildings as barracks for the use of the recruits. This is one of the most economical and legitimate items of expenditure in the entire naval appropriation bill. It did not come at my instance. I was not here last year when the Naval Committee of the Senate put this item in the bill. I was not in Washington. I was sick.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. TILLMAN. Certainly.

Mr. CULBERSON. It seems to me that the Senator has made a very clear and convincing statement of the reasons why this amendment should remain in the bill; and I will ask him to state the objections to it, if any objection has been urged.

Mr. TILLMAN. As I judge by the debate in the House day before yesterday, when this report was carried there and this one item disagreed to, the fear is that South Carolina will have two great naval establishments, and there are so many places which have none that there is an idea that this place, which has cost a million dollars, and is worth a million dollars, should be abandoned because South Carolina might have a navy-yard at Charleston and a training station at Port Royal. That is all I can see. If we were going into the business of building a new training station and were not merely utilizing the Government property already paid for and already constructed, I would not say a word. It could go to Texas or Florida or Georgia or North Carolina or Alabama or some other State. But we have got it. It is there. It is paid for. It is healthful. Why should we not use it?

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. TILLMAN. Certainly.

Mr. CULBERSON. Has the Senator any idea or intimation that if the motion of the Senator from Maine should be disagreed to there is a probability of an agreement being reached by the conferees?

Mr. TILLMAN. Undoubtedly the conferees will agree. Of course if the House insists again the Senate will recede, as it did last year. I do not make any kick. I simply want the country and the Senate and the House to understand that this item, put on this bill by the Senate committee last year, not at my instance, but of its own wisdom, ought to remain in the bill this year, and the House ought to be made to understand, which I do not think they do, that there is no purpose or desire on the part of South Carolina to have two great naval stations, but merely to utilize this one for the purpose for which the Bureau of Navigation has asked and let Charleston take her chances along with the other navy-yards of the country in getting any appropriation of Congress that it may be willing to give it.

Mr. GALLINGER. Mr. President, I desire to emphasize the fact that while the amendment was put on in the absence of the Senator last year, this year it was put on by the unanimous vote of the Committee on Naval Affairs.

Mr. TILLMAN. Yes, sir; the Senator from Maine and the Senator from California, the other two conferees, have stood by this item as a perfectly legitimate and wise one, and all I ask is that the Senate itself shall indicate its attitude, and then if the House says it will not have it the Senate can give way, if it sees fit. There is no trouble about getting another conference between the two Houses, and let us go back to the House after the Senate has acted. I hope the Senator from Maine will not move that the Senate recede, but that he will move that the Senate insist on its amendment, and let us take a yea-and-nay,

vote on it and let the House see how the Senate feels on the subject.

Mr. HALE. Mr. President, the Senate should understand precisely the situation. There has always been in the House a very strong feeling against in any way making further appropriations for Port Royal, which was abandoned as a navy-yard when the navy-yard was transferred to Charleston. That was done—and I thought very properly—solely at the instance of the Senator from South Carolina. The House has always taken the ground that that closed the incident.

In this case, both last year and this, the proposition came up without intrusion or importunity from the Senator from South Carolina, but from the Department, that the old plant could be utilized to some extent by using it as a training station for boys preparing for the Navy in winter. It went through all the phases of difference, and the House insisted on its proposition, and it went out.

This year the Department recommended it again.

Mr. TILLMAN. It is estimated for.

Mr. HALE. It is recommended and estimated for. The Department put itself behind it. It recommended this appropriation, and the Senate committee put it on and reported it. It came to the body, was adopted in the Senate, and then went into conference.

I am bound to state what took place in conference. In conference the Senate conferees insisted upon the amendment, so far as they could, believing that it was a proper amendment. We did it in the absence of the Senator from South Carolina, who again has not intruded in the matter. But the House conferees said that the House was firm and would never agree in any way to reopen the old abandoned navy-yard which has been left for Charleston.

Then the House conferees said: "As you can not agree to this, all we ask is to take it into the House and have it debated there, and if the House, on full debate, holds to its old position and insists that this shall go out, the Senate, we think, will take notice of that."

It went to the House, was debated at length by the Representatives from South Carolina, making the best of the case they could, and the House by a vote of about two, to one again insisted on its disagreement.

Mr. TILLMAN. Altogether there were but 110 votes cast.

Mr. HALE. But the votes in the House in Committee of the Whole are frequently small. However, the majority was about two to one.

Everything else has been agreed to on the naval bill, with its hundred million dollars. I should be glad to get what the Senator wants, and I hope some day we will get it, but I do not think there is the slightest chance, after the House has debated it and voted upon it, that anything will happen if we insist on sending it over there again.

The great naval bill is agreed to on everything else. Nothing remains but this amendment, and I am sorry that the Senator under the conditions does not feel like yielding to what is the inevitable. It will only cause another conference, and if we send it back there will be more and more feeling of impatience on the part of the House of Representatives after the thing has been once debated and voted upon there. I wish the Senator would acquiesce in what is the actual condition and let the Senate recede from its amendment and end the controversy on this bill. I think the Senator will gain nothing by any other course.

Mr. TILLMAN. I have indicated my willingness to be reasonable, I think, and the Senator has done me the justice to say that I am not importuning him about this matter and have not from the start. It is not my baby or my pet. I am not particularly desirous of this on account of South Carolina, but I am desirous of it on account of the needs of the Navy. The admiral in charge of the Bureau of Navigation tells us that he needs it. It is there. It is in a mild climate, where we can train our boys and seamen during the entire winter, which can not be done at any of the other stations unless we go to the Pacific. I have been over to the House to-day and conferred with a good many leading men over there, and I have a very strong belief that if the matter goes back there and the question is understood—I am sure it was not understood day before yesterday; you know how much noise there is in that Chamber—

Mr. HALE. There was not more noise than there will be day after to-morrow.

Mr. TILLMAN. The House will not be in session day after to-morrow. That will be Sunday.

Mr. HALE. Both bodies will be in session. The Senator says it was not understood—

Mr. TILLMAN. I only judge it was not understood because

of the impression made by the South Carolina men who discussed it and by those who opposed it, which was that we were anxious or were willing to get two or three naval establishments, which is not the case. We simply have two there, anyhow. One of them is being given over to the bats and owls when the Government needs it badly, and it only takes a pitiful \$50,000 to put it in order for the use of seamen and the apprentices, and it seems to me a perfectly wise and legitimate expenditure of money. If the House says, "We do not want it, and will not have it," I will sit down and say nothing.

Mr. HALE. My point is that on debate, when the Members of the House from South Carolina, who are interested in this matter just as much as is the Senator from South Carolina, debated it fully, without any restriction, and presented the case as strongly as they could, the House voted it down by a majority of about 2 to 1. I do not think the Senator will gain anything by further insisting on the amendment. I think it is one of the cases of the inevitable.

Mr. TILLMAN. Will not the Senator let us try? It will not hurt the bill at all. It will go through to-morrow anyway. The Senator from Maine knows that the work which will be done by this money will give the country as much use and benefit as any other dollar that we appropriate in the pending appropriation bill.

Mr. HALE. It is utterly impossible to make the Senator see any side of the question except the one upon which he has set his mind. I think that the Senate has done all that it ought to do in this case. It has been debated in the House and rejected, and we ought to accept that result. But if the Senator, with his persistency, which never ceases, thinks that he ought to have another chance, let him take it. I can have no time to attend to any more conferences myself. It will have to be left to the other conferees.

Mr. TILLMAN. I think that the Senator from California and I will be able to come to some understanding or agreement, and this matter can be handled without the Senator from Maine, although, of course, we realize how valuable his aid is and how wise he has been in all these matters, and we depend on his own pertinacity sometimes. I have seen the Senator very determined, and on conference reports insist and insist and insist, and finally carry his point.

Mr. HALE. Not for anything in my State, that I ever knew. I do not have anything in my State.

Mr. TILLMAN. I wish it were out of my State.

Mr. HALE. I certainly wish it were.

Mr. TILLMAN. I would be working for it harder than I am. But as it is not, I can not help it.

Mr. PERKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from California?

Mr. TILLMAN. Certainly.

Mr. PERKINS. As one of the conferees, I simply desire to state—like the chairman, who has presented the case fairly—all the members of the conference committee on the part of the Senate were in full sympathy with the Senator from South Carolina and with the recommendation of the Navy Department for this naval training station at Charleston or Port Royal, where, as the Senator has explained, the Government owns this property. The Senate acted upon the recommendation of the Committee on Naval Affairs, and it was embodied as amendment numbered 1 in the bill. The Senate unanimously adopted the amendment. When it went to the House the House disagreed to the Senate amendments, and we went into conference, and there were three or four different sessions of the conferees on the bill, the Senator from South Carolina being unavoidably absent. An agreement was reached upon all the amendments proposed by the Senate except this amendment numbered 1.

If there was any probability of the House receding from its position, I should be only too glad to join with other Senators in asking the Senate to insist upon this amendment, but I have done some missionary work while my friend has been in South Carolina. I have interviewed the members of the House Committee on Naval Affairs, and I have every assurance from them that they will not recede from the position they have already taken. Surely my friend from South Carolina has done everything in his power; he has done work himself with his colleagues in the House, and he has made statements here to-day which certainly make him solid with his constituents, although it is not possible for him to be more endeared to them than he already is by his long service here and his devotion to their interests.

If we were to have a longer session, if we had two weeks more or one week more, I would say we will make another effort. But the bill has to be engrossed and enrolled, and it

carries a hundred million dollars. It is for the support of the Navy of the United States and all of its auxiliaries. It seems to me that my friend from South Carolina should therefore act upon the recommendation of the chairman of the Committee on Naval Affairs and let it pass this year, and consent to the Senate receding.

Mr. TILLMAN. Mr. President, I do not like to appear mulish or obstinate, and I am not. But I recall that in this very controversy between the Senate and House conferees there was one amendment to which the House objected very strenuously and said they would not agree to it, but they did agree to it with a slight modification. The Senator from Maine said, "We will hold to that," and we got it.

Now, all I ask is that the Senate give its voice and let us go into conference again; and if the House insists, there is plenty of time. We have three more days—two and a half, anyhow—and if the House says we have got to let this amendment go out it will go out. There will be plenty of time to engross the bill and have it become a law, and the Navy will not be hurt.

Mr. ALDRICH. Mr. President, I suggest to the Senator from South Carolina that, in view of his own statement and the statement made by the chairman of the subcommittee and the Senator from California, I do not see how it would be possible to expect the House to recede. The Senator himself says he only wants to try it, and both the Senator from Maine and the Senator from California say there is no use in trying. If the Senate was real earnestly in favor of this proposition and we were going over there with a united front the House might possibly be ready to accept the Senator's views. But with the conditions which now confront us and as we have only one more legislative day as a matter of fact, it seems to me to be utterly useless to try to force the House into accepting this amendment.

Mr. TILLMAN. If that is the attitude of those who are in control here, the chairman of the committee and the chairman of the conferees on the part of the Senate and the men who direct and control affairs, I know what it means, I suppose I will have to surrender.

Mr. HALE. We will stand by the Senator another year.

Mr. TILLMAN. But the Senator has just been reelected. The people who are interested down there never did vote for the Senator. The Senator does not care three straws for their votes. He is caring for the money that is to be expended for the use of the Navy of the United States, and it is a legitimate and honest expenditure to give us a training station there, where boys and recruits can go in winter and be trained instead of being housed as they are where it is icebound. That is all there is in it.

Mr. HALE. Under the conditions, I move that the Senate recede from its amendment.

The motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 18, 19, 20, 28, 29, 33, 57, 58, 62, 63, 65, 88, 101, 102, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, 8, 9, 13, 14, 15, 23, 24, 25, 26, 27, 30, 31, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55, 59, 60, 61, 64, 66, 67, 70, 71, 72, 75, 76, 77, 84, 85, 86, 89, 90, 91, 92, 93, 94, 100, 104, 105, 106, 107, 108, 112, 113, 114, 115, 116, 118, 119, 120, 121, 123, and 124, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with an amendment as follows: Strike out all after the word "available," in line 5 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out all after the word "available," in line 4 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "for his information and action thereon; and the Senate agree to the same."

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Point Cabrillo light and fog signal station, California: For completing a light and fog signal station at or near Point Cabrillo, California, twenty-five thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "February," insert the word "twenty-sixth;" strike out the fourth line of said amendment; and in lines 6 and 7 of said amendment strike out the words "At a cost not to exceed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For light and fog signal station at or near the west end of the draw near the Lehigh Valley Railroad bridge at Passaic, New Jersey, fifteen thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the word "islands;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For light-keepers' dwellings and appurtenant structures, including sites therefor, within the limit of cost fixed by said act approved February twenty-sixth, nineteen hundred and seven, seventy-five thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For completion of building, including everything necessary for occupation, exclusive of nurses' home, and in addition to the two following sums, fifty-six thousand four hundred dollars, to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: On page 95 of the bill, in line 11, after the word "dollars," insert the words "to be immediately available;" and on page 95 of the bill, in line 19, after the word "dollars," insert the words "to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$100,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Road to national cemetery, Keokuk, Iowa: For repairs to approach roadway to the Keokuk, Iowa, National Cemetery, one thousand five hundred dollars: *Provided*, That the city of Keokuk improve and agree to maintain in proper repair the road leading south from the main driveway of the city cemetery to the point where the road herein authorized to be improved begins."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Add, after the word "appropriated," at the end of said amendment, the following: "This appropriation is made upon the express understanding that it is in full of all just claims against the United States and the District of Columbia on account of the reconstruction of said hospital, and that neither the United States nor the District of Columbia shall hereafter be called upon to pay any further sum on account of such reconstruction or debts incurred in connection therewith;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four hundred and one thousand seven hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with

an amendment as follows: In lieu of the sum proposed insert "\$4,528,044;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: On page 190 of the bill, in line 5, strike out the words "present session" and in lieu thereof insert the words "first session of the Fifty-ninth Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 197 of the bill, in line 19, after the word "be," insert the words "approved by the Commission and then;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 4, 10, 11, 12, 22, 68, 69, 78, 79, 80, 82, 83, 87, 96, 97, 98, 99, 117, and 126.

W. B. ALLISON,
EUGENE HALE,
JAMES H. BERRY,

Managers on the part of the Senate.

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,

Managers on the part of the House.

Mr. CULBERSON. Mr. President, I am not able to inform myself from the mere reading of the report about the matter concerning which I desire to know the situation. I therefore ask the Senator from Iowa what this report does with the amendment about which the Senator from Alabama [Mr. Morgan] wrote the members of the Committee on Appropriations with reference to the Panama Canal and Panama Railroad?

Mr. ALLISON. That amendment is in disagreement. I shall be glad to answer any questions about the report which Senators may desire to ask.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendments disagreed to by the House and ask a further conference with the House upon those amendments, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice-President appointed Mr. ALLISON, Mr. HALE, and Mr. BERRY as the conferees on the part of the Senate.

REGISTRATION OF TRADE-MARKS.

Mr. KITTREDGE. I am directed by the Committee on Patents, to whom was referred the bill (H. R. 25474) to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," to report it without amendment, and to ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM KLING.

Mr. SCOTT. From the Committee on Pensions I report back favorably without amendment the bill (H. R. 11401) granting an increase of pension to William Kling, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of William Kling, late of Company H, Two hundred and first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IMPORTATION OF IMPURE AND UNWHOLESOME TEA.

Mr. WARNER. I ask leave to call up for present consideration the bill (S. 1548) to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, which is on the Calendar under Rule IX.

Mr. ALDRICH. Let the bill be read for information.

Mr. HEYBURN. I object to the present consideration of the bill.

Mr. WARNER. I move that the Senate proceed to the consideration of the bill.

Mr. ALDRICH. Let the bill be read for information.

XLI—273

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill.

Mr. CULBERSON. I ask the chairman of the Committee on Finance if the bill affects the revenue?

Mr. ALDRICH. Yes; it undoubtedly would affect the revenue.

The VICE-PRESIDENT. The question is on the motion of the Senator from Missouri to proceed to the consideration of the bill.

The motion was not agreed to.

Mr. WARNER. I wish to state that I called up the bill at the request of my colleague [Mr. Stone], who is detained from the Senate.

ORDINARY STAMPS FOR SPECIAL-DELIVERY LETTERS.

Mr. CARTER. I am directed by the Committee on Post-Offices and Post-Roads to report back favorably without amendment the bill (H. R. 10095) making certain changes in the postal laws, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. KEAN. I think we ought to have an explanation of the bill.

Mr. PENROSE. The bill is recommended by the Post-Office Department, and there has been no opposition to it.

Mr. CARTER. The purpose of the bill is made obvious by reading it. It is a common experience that a person desiring to send a letter by special delivery has difficulty in procuring the special-delivery stamp. It is necessary frequently to make a special purchase in order to have that stamp available. Under the bill by using five 2-cent stamps of the ordinary kind and marking the letter "Special" the revenue is obtained and the letter goes forward without the necessity of purchasing a special-delivery stamp.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OKLAHOMA SCHOOL LANDS.

Mr. LONG. I ask for the present consideration of the bill (H. R. 24655) to authorize the legislature of Oklahoma to dispose of a certain section of school land.

Mr. KEAN. Is that the bill we had up the other day?

Mr. LONG. It was placed on the Calendar the other day.

Mr. KEAN. Was it objected to?

Mr. LONG. It was laid over.

Mr. KEAN. I think that as Oklahoma is soon to be admitted as a State we had better not dispose of the school land there.

Mr. LONG. It is to authorize the legislature of Oklahoma to make the disposition. It can not be done without the action of the legislature.

The VICE-PRESIDENT. Objection is made.

Mr. ALDRICH. Let the bill be read for information.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

Mr. LONG. Do I understand that objection was made to the bill?

The VICE-PRESIDENT. The Chair understood the Senator from New Jersey to object.

Mr. KEAN. I object to the legislature of Oklahoma disposing of anything until the State of Oklahoma is formed.

CHARLES W. SPALDING.

Mr. WARREN. Will the Senator from New Jersey withhold his motion for a moment?

Mr. KEAN. Certainly.

Mr. WARREN. I ask leave to call up a small military-record bill. I ask for the present consideration of the bill (S. 8585) for the relief of Charles W. Spalding.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with amendments, in line 6, after the word "as," to strike out the article "a;" and in the same line, after the words "first lieutenant," to insert "of Company C;" so as to make the bill read:

Be it enacted, etc., That Charles W. Spalding shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 25th day of April, 1864, as first lieutenant of Company C, Twentieth Illinois Volunteer Infantry: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. S. HAMMAKER.

Mr. DICK. I ask for the present consideration of the bill (H. R. 13418) for the relief of W. S. Hammaker. It is a bill which has passed the House and is favorably reported by the Committee on Post-Offices and Post-Roads.

The Secretary read the bill.

Mr. CULBERSON. I will ask the Senator from Ohio if the report made by the Department was favorable or unfavorable?

Mr. DICK. The report certifies the account as being absolutely correct, but makes no recommendation. The Committee on Post-Offices and Post-Roads have favorably reported the bill.

Mr. OVERMAN. I do not object to the bill myself, but the chairman of the Committee on Claims [Mr. FULTON], who is not in his seat, said that he would oppose every claims bill that did not go to his committee. I thought probably that the bill ought to go to the Committee on Claims.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to W. S. Hammaker, late postmaster of the city of Findlay, Ohio, \$2,251.28, to reimburse him for moneys actually expended and paid for necessary clerical assistance in carrying on the operation of the post-office at that city during his official term as postmaster, from 1885 to 1889, in excess of the amount allowed by the Post-Office Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAYMENT OF CLAIMS.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (S. 5951) to repeal section 3480 of the Revised Statutes of the United States.

Mr. KEAN. I will consent to that, if the bill does not provoke any discussion.

The VICE-PRESIDENT. The Senator from Alabama asks unanimous consent for the present consideration of the bill named by him.

Mr. KEAN. I am sorry to say to the Senator from Alabama that I am told that the bill for which he has asked consideration will provoke discussion.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ALDRICH. The bill had better be read, Mr. President.

The VICE-PRESIDENT. The Chair will state that the Senator from Maine [Mr. HALE] and the Senator from Massachusetts [Mr. LODGE] have left at the desk a request that they should be notified when this bill was called up for consideration.

Mr. ALDRICH. Then the bill had better go over.

Mr. DANIEL. I should like to hear the title of the bill again stated.

The VICE-PRESIDENT. The title of the bill will be again stated.

The SECRETARY. A bill (S. 5951) to repeal section 3480 of the Revised Statutes of the United States.

Mr. DANIEL. I should like to hear the bill itself read.

The VICE-PRESIDENT. The Senator from Virginia requests the reading of the bill. The bill will be read.

The Secretary read as follows:

Be it enacted, etc., That section 3480 of the Revised Statutes of the United States be, and the same is hereby, repealed.

Mr. HEYBURN. I object to the present consideration of the bill.

The VICE-PRESIDENT. Objection is made.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

Mr. CULBERSON. I hope the Senator from New Jersey will not do that until the bill the consideration of which the Senator from Alabama [Mr. PETTUS] has requested can be disposed of.

Mr. KEAN. The Senator from New Jersey understood that there was objection to the present consideration of the Senator's bill.

Mr. CULBERSON. I have not heard any objection. I merely heard a suggestion that two Senators would like to be present when the bill was considered.

The VICE-PRESIDENT. The Chair will state that the Senator from Idaho [Mr. HEYBURN] distinctly objected to the consideration of the bill.

Mr. CULBERSON. Very well.

EXECUTIVE SESSION.

Mr. KEAN. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 38 minutes p. m.) the Senate adjourned until tomorrow, Saturday, March 2, 1907, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 1, 1907.

COMMANDER IN NAVY.

Professor of Mathematics Harry McL. P. Huse to be a commander on the active list of the Navy from the 25th day of February, 1907, to take rank next after Commander William L. Rodgers, in accordance with the provisions of an act of Congress approved February 15, 1907.

REGISTER OF LAND OFFICE.

William Farre, of Oregon, to be register of the land office at Burns, Oreg., his term having expired. (Reappointment.)

POSTMASTERS.

ALABAMA.

Joe S. Franklin to be postmaster at Alabama City, in the county of Etowah and State of Alabama. Office became Presidential October 1, 1906.

CALIFORNIA.

Paul Schafer to be postmaster at Oakland, in the county of Alameda and State of California, in place of Thomas T. Dargle, deceased.

CONNECTICUT.

Walter B. Cheney to be postmaster at South Manchester, in the county of Hartford and State of Connecticut, in place of Walter B. Cheney. Incumbent's commission expired January 14, 1907.

Joseph T. Elliott to be postmaster at Middletown, in the county of Middlesex and State of Connecticut, in place of George I. Allen. Incumbent's commission expired June 24, 1906.

Frank A. Hagarty to be postmaster at Hartford, in the county of Hartford and State of Connecticut, in place of Edward B. Bennett, resigned.

INDIANA.

Romie P. Dryer to be postmaster at Lagrange, in the county of Lagrange and State of Indiana, in place of Romie P. Dryer. Incumbent's commission expired April 22, 1906.

Virgil A. Geiger to be postmaster at Cherubusco, in the county of Whitley and State of Indiana, in place of William A. De Vault. Incumbent's commission expired December 20, 1906.

W. O. Nash to be postmaster at Jasonville, in the county of Green and State of Indiana, in place of John M. Atkins, resigned.

IOWA.

Charles H. Hoyt to be postmaster at Fayette, in the county of Fayette and State of Iowa, in place of George E. Comstock. Incumbent's commission expired February 19, 1907.

KANSAS.

Lincoln Ballou to be postmaster at Tonganoxie, in the county of Leavenworth and State of Kansas, in place of George B. Hallenbeck, removed.

John K. Cochran to be postmaster at Pratt, in the county of Pratt and State of Kansas, in place of John K. Cochran. Incumbent's commission expired February 24, 1907.

John Gilman to be postmaster at Madison, in the county of Greenwood and State of Kansas, in place of John Gilman. Incumbent's commission expired January 22, 1907.

T. L. Hogue to be postmaster at Olathe, in the county of Johnson and State of Kansas, in place of Lewis W. Breyfogle, resigned.

Robert D. Rodgers to be postmaster at Syracuse, in the county of Hamilton and State of Kansas. Office became Presidential January 1, 1907.

Lisse H. Shoup to be postmaster at Cimarron, in the county of Gray and State of Kansas. Office became Presidential January 1, 1907.

KENTUCKY.

Musker L. Heavrin to be postmaster at Hartford, in the county of Ohio and State of Kentucky, in place of Woodbury Tinsley. Incumbent's commission expired January 19, 1907.

Wallace R. Wood to be postmaster at Elkton, in the county of Todd and State of Kentucky, in place of Frank H. Bristow. Incumbent's commission expired January 19, 1907.

MICHIGAN.

William H. Goodman to be postmaster at Allegan, in the county of Allegan and State of Michigan, in place of Edwy C. Reid. Incumbent's commission expired December 10, 1906.

John T. P. Smith to be postmaster at Clarkston, in the county of Oakland and State of Michigan. Office became Presidential January 1, 1907.

MINNESOTA.

Archibald J. De Wolf to be postmaster at Windom, in the county of Cottonwood and State of Minnesota, in place of Archibald J. De Wolf. Incumbent's commission expired February 9, 1907.

Thomas M. Paine to be postmaster at Glencoe, in the county of McLeod and State of Minnesota, in place of Thomas M. Paine. Incumbent's commission expires March 2, 1907.

Mark Swedberg to be postmaster at Luverne, in the county of Rock and State of Minnesota, in place of Mark Swedberg. Incumbent's commission expired June 10, 1906.

MISSOURI.

William W. Wagner to be postmaster at Jefferson City, in the county of Cole and State of Missouri, in place of William W. Wagner. Incumbent's commission expired February 24, 1907.

NEBRASKA.

William Cook to be postmaster at Hebron, in the county of Thayer and State of Nebraska, in place of Oscar A. Ashbrook. Incumbent's commission expired March 14, 1906.

John F. Griffith to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska, in place of John F. Griffith. Incumbent's commission expired February 11, 1907.

William T. Mauck to be postmaster at Wahoo, in the county of Saunders and State of Nebraska, in place of John A. Anderson. Incumbent's commission expired January 13, 1907.

John F. Nesbit to be postmaster at Tekamah, in the county of Burt and State of Nebraska, in place of John F. Nesbit. Incumbent's commission expired February 11, 1907.

NEVADA.

William B. Graham to be postmaster at Ely, in the county of White Pine and State of Nevada. Office became Presidential January 1, 1907.

NEW JERSEY.

James E. Sherman to be postmaster at Frenchtown, in the county of Hunterdon and State of New Jersey, in place of Aaron P. Kachline. Incumbent's commission expired February 12, 1907.

NORTH DAKOTA.

James D. McKenzie to be postmaster at Milnor, in the county of Sargent and State of North Dakota. Office became Presidential October 1, 1906.

OHIO.

Sherwood Blamer to be postmaster at Johnstown, in the county of Licking and State of Ohio, in place of Sherwood Blamer. Incumbent's commission expires March 3, 1907.

Jacob O. Harris to be postmaster at Utica, in the county of Licking and State of Ohio, in place of Jacob O. Harris. Incumbent's commission expires March 3, 1907.

George E. McDonald to be postmaster at Minerva, in the county of Stark and State of Ohio, in place of George E. McDonald. Incumbent's commission expired February 4, 1907.

David C. Mahon to be postmaster at Dennison, in the county of Tuscarawas and State of Ohio, in place of William Pittenger. Incumbent's commission expires March 3, 1907.

OKLAHOMA.

Frances K. Ahern to be postmaster at Frederick, in the county of Comanche and Territory of Oklahoma, in place of George A. Ahern, resigned.

OREGON.

William H. Lachner to be postmaster at Baker City, in the county of Baker and State of Oregon, in place of David L. Moomaw, removed.

PENNSYLVANIA.

Ada U. Ashcom to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania, in place of Ada U. Ashcom. Incumbent's commission expired February 13, 1907.

W. F. Balsbach to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania, in place of William H. Jeffries, deceased.

I. N. Lightner to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania, in place of William L. Bixler. Incumbent's commission expired January 26, 1907.

John A. McKee to be postmaster at New Castle, in the county of Lawrence and State of Pennsylvania, in place of John A. McKee. Incumbent's commission expired December 16, 1906.

SOUTH DAKOTA.

Harry L. Bras to be postmaster at Mitchell, in the county of Davison and State of South Dakota, in place of Harry L. Bras. Incumbent's commission expired June 2, 1906.

John Reich to be postmaster at Scotland, in the county of Bonhomme and State of South Dakota, in place of John Reich. Incumbent's commission expired January 21, 1906.

TEXAS.

James S. Evans, sr., to be postmaster at Livingston, in the county of Polk and State of Texas, in place of Talvus D. Wilson, resigned.

WISCONSIN.

David B. Worthington to be postmaster at Beloit, in the county of Rock and State of Wisconsin, in place of Chalmers Ingersoll. Incumbent's commission expired January 21, 1906.

WITHDRAWALS.

Executive nominations withdrawn from the Senate March 1, 1907.

Fred V. Tinker to be receiver of public moneys at Boise, Idaho.

Samuel D. Dower to be postmaster at Wadena, in the State of Minnesota.

John K. Grant to be postmaster at Stamford, in the State of New York.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 28, 1907.

ASSISTANT APPRAISER OF MERCHANDISE.

Charles K. Lexow, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

SURVEYOR OF CUSTOMS.

Amor Smith, jr., of Ohio, to be surveyor of customs for the port of Cincinnati, in the State of Ohio.

COLLECTOR OF INTERNAL REVENUE.

Frank R. Bentley, of Wisconsin, to be collector of internal revenue for the second district of Wisconsin.

ISTHMIAN CANAL COMMISSION.

Members of the Isthmian Canal Commission provided for by act of Congress approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," to which offices they were appointed during the last recess of the Senate—

Theodore P. Shonts, member and chairman.

John F. Stevens.

Civil Engineer Mordecai T. Endicott, United States Navy.

Brig. Gen. Peter C. Hains, United States Army, retired.

Benjamin M. Harrod, civil engineer.

Jackson Smith.

Col. William C. Gorgas, Assistant Surgeon-General, United States Army.

UNITED STATES ATTORNEY.

Benjamin M. Ausherman, of Wyoming, to be United States attorney for the district of Wyoming.

UNITED STATES MARSHAL.

Louis G. Davis, of Wyoming, to be United States marshal for the district of Wyoming.

POSTMASTERS.

CALIFORNIA.

George D. Cunningham to be postmaster at Riverside, in the county of Riverside and State of California.

William A. Price to be postmaster at Redwood City, in the county of San Mateo and State of California.

Linn L. Shaw to be postmaster at Santa Ana, in the county of Orange and State of California.

CONNECTICUT.

Alfred W. Converse to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut.

ILLINOIS.

Frank L. Carroll to be postmaster at Manito, in the county of Mason and State of Illinois.

George F. Jordan to be postmaster at Carlinville, in the county of Macoupin and State of Illinois.

J. C. Utterback to be postmaster at Salem, in the county of Marion and State of Illinois.

INDIANA.

George E. Murray to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

IOWA.

Albert J. Enbody to be postmaster at Dunlap, in the county of Harrison and State of Iowa.

George Hardenbrook to be postmaster at Maxwell, in the county of Story and State of Iowa.

Lyman H. Henry to be postmaster at Charles City, in the county of Floyd and State of Iowa.

Henry C. Hill to be postmaster at Milton, in the county of Van Buren and State of Iowa.

John H. Luse to be postmaster at Mystic, in the county of Appanoose and State of Iowa.

C. H. Mendenhall to be postmaster at Buxton, in the county of Monroe and State of Iowa.

George W. Metcalf to be postmaster at Lansing, in the county of Allamakee and State of Iowa.

Henry D. Muehe to be postmaster at Dyersville, in the county of Dubuque and State of Iowa.

Joseph I. Myerly to be postmaster at Des Moines, in the county of Polk and State of Iowa.

William N. Oursler to be postmaster at Odebolt, in the county of Sac and State of Iowa.

Louis H. Schulte to be postmaster at Remsen, in the county of Plymouth and State of Iowa.

Benjamin H. Tamplin to be postmaster at Hull, in the county of Sioux and State of Iowa.

Eunice A. Underhill to be postmaster at Ocheyedan, in the county of Osceola and State of Iowa.

Hervey J. Vail to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.

KANSAS.

Israel I. Diesem to be postmaster at Garden City, in the county of Finney and State of Kansas.

Newman Waring to be postmaster at Ottawa, in the county of Franklin and State of Kansas.

MISSOURI.

Edward J. Schmidt to be postmaster at Centralia, in the county of Boone and State of Missouri.

NEW YORK.

Gilmore O. Bush to be postmaster at Tuxedo Park, in the county of Orange and State of New York.

James H. Hitt to be postmaster at Margaretville, in the county of Delaware and State of New York.

Simon D. Replogle to be postmaster at Roslyn, in the county of Nassau and State of New York.

Frank Stowell to be postmaster at Mayville, in the county of Chautauqua and State of New York.

Daniel F. Strobel to be postmaster at Herkimer, in the county of Herkimer and State of New York.

NORTH DAKOTA.

Michael B. De la Bere to be postmaster at Sheldon, in the county of Ransom and State of North Dakota.

Otto E. Holmes to be postmaster at Kensal, in the county of Stutsman and State of North Dakota.

Roy P. Hubbard to be postmaster at Glen Ullin, in the county of Morton and State of North Dakota.

Donald G. McIntosh to be postmaster at St. Thomas, in the county of Pembina and State of North Dakota.

Duncan C. McLeod to be postmaster at Crary, in the county of Ramsey and State of North Dakota.

Percy F. Meharry to be postmaster at Starkweather, in the county of Ramsey and State of North Dakota.

Gustave B. Metzger to be postmaster at Williston, in the county of Williams and State of North Dakota.

OKLAHOMA.

John H. Asbury to be postmaster at Lexington, in the county of Cleveland and Territory of Oklahoma.

OREGON.

Charles J. Howard to be postmaster at Cottage Grove, in the county of Lane and State of Oregon.

PENNSYLVANIA.

William R. Flad to be postmaster at Freeland, in the county of Luzerne and State of Pennsylvania.

Thomas H. Harter to be postmaster at Bellefonte, in the county of Center and State of Pennsylvania.

Freeman J. Hoffman to be postmaster at Somerset, in the county of Somerset and State of Pennsylvania.

R. M. Tubbs to be postmaster at Shickshinny, in the county of Luzerne and State of Pennsylvania.

VIRGINIA.

S. B. Carney to be postmaster at Norfolk, in the county of Norfolk and State of Virginia.

John W. Davis to be postmaster at Rural Retreat, in the county of Wythe and State of Virginia.

WASHINGTON.

Fremont A. Tarr to be postmaster at Montesano, in the county of Chehalis and State of Washington.

WEST VIRGINIA.

Edwin H. Flynn to be postmaster at Spencer, in the county of Roane and State of West Virginia.

WISCONSIN.

Arthur R. Boerner to be postmaster at Cedarburg, in the county of Ozaukee and State of Wisconsin.

William Campbell to be postmaster at Oconto Falls, in the county of Oconto and State of Wisconsin.

Arthur P. Cheek to be postmaster at Baraboo, in the county of Sauk and State of Wisconsin.

Alfred B. Kildow to be postmaster at Brodhead, in the county of Green and State of Wisconsin.

Leonard H. Kimball to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin.

Executive nominations confirmed by the Senate March 1, 1907.

MEMBER OF EXECUTIVE COUNCIL OF PORTO RICO.

Francisco de Paula Acuña, of Porto Rico, to be a member of the executive council of Porto Rico for a term of four years.

UNITED STATES ATTORNEY.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana.

UNITED STATES DISTRICT JUDGES.

David Patterson Dyer, of Missouri, to be United States district judge for the eastern district of Missouri.

Thomas C. Munger, of Nebraska, to be additional United States district judge for the district of Nebraska.

UNITED STATES MARSHAL.

J. Duncan Adams, of South Carolina, to be United States marshal for the district of South Carolina.

PROMOTION IN THE ARMY.

Cavalry Arm.

Second Lieut. Charles R. Mayo, Twelfth Cavalry, to be first lieutenant from February 21, 1907.

POSTMASTERS.

CALIFORNIA.

George F. Hirsch to be postmaster at Longbeach, in the county of Los Angeles and State of California.

Paul Schafer to be postmaster at Oakland, in the State of California.

CONNECTICUT.

Frank A. Hagarty to be postmaster at Hartford, in the State of Connecticut.

ILLINOIS.

Charles W. Vedder to be postmaster at North Chicago, in the county of Lake and State of Illinois.

IOWA.

Joseph S. Morgan to be postmaster at Dubuque, in the county of Dubuque and State of Iowa.

MICHIGAN.

Joseph L. Baird to be postmaster at Marine City, in the county of St. Clair and State of Michigan.

MINNESOTA.

George W. Rowell to be postmaster at North Branch, in the county of Chisago and State of Minnesota.

O. J. Simmons to be postmaster at Austin, in the county of Mower and State of Minnesota.

NEBRASKA.

John H. Griffith to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska.

Edward G. Hall to be postmaster at David City, in the county of Butler and State of Nebraska.

Donald McLeod to be postmaster at Schuyler, in the county of Colfax and State of Nebraska.

Dana McNeil to be postmaster at Chadron, in the county of Daves and State of Nebraska.

Carelius K. Olson to be postmaster at Newman Grove, in the county of Madison and State of Nebraska.

Lew E. Shelley to be postmaster at Fairbury, in the county of Jefferson and State of Nebraska.

George W. Shreck to be postmaster at York, in the county of York and State of Nebraska.

Chester H. Smith to be postmaster at Plattsmouth, in the county of Cass and State of Nebraska.

NEW YORK.

Lucien A. Blanding to be postmaster at Sherburne, in the county of Chenango and State of New York.

Gervas H. Kerr to be postmaster at Pelham Manor, in the county of Westchester and State of New York.

NORTH DAKOTA.

Agatha G. Patterson to be postmaster at Bismarck, in the county of Burleigh and State of North Dakota.

OHIO.

Elias R. Monfort to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio.

PENNSYLVANIA.

Robert E. Hopkins to be postmaster at Milton, in the county of Northumberland and State of Pennsylvania.

I. N. Lightner to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania.

SOUTH DAKOTA.

James B. Barber to be postmaster at Rapid City, in the county of Pennington and State of South Dakota.

George H. Few to be postmaster at Flandreau, in the county of Moody and State of South Dakota.

Porter E. Rugg to be postmaster at Artesian, in the county of Sanborn and State of South Dakota.

Frank E. Saltmarsh to be postmaster at Miller, in the county of Hand and State of South Dakota.

Ole A. Stumley to be postmaster at Volga, in the county of Brookings and State of South Dakota.

WEST VIRGINIA.

S. A. Posten to be postmaster at Morgantown, in the county of Monongalia and State of West Virginia.

WISCONSIN.

James D. Strickland to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin.

REJECTION.

Executive nomination rejected by the Senate March 1, 1907.

POSTMASTER.

INDIANA.

Romie P. Dryer to be postmaster at Lagrange, in the State of Indiana.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 1, 1907.

The House met at 11 o'clock a. m.

Prayer by the Chaplain, the Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, numbered 88 and 90, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 22123. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 6104. An act to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails;

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River; and

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House to return to the Senate the bill (H. R. 3518) for the relief of Copiah County, Miss.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill of the following title:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation in the State of Wisconsin."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 7840) granting an increase of pension to Lewis A. Towne.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled bills, reported that they had examined and found truly enrolled bills of the following titles:

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury in certain contingencies to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 21857. An act to correct the military record of Jacob Rockwell;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals;

H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 15320. An act to remove the charge of desertion standing against Peter Parsch;

H. R. 24390. An act to correct the military record of Charles H. Kellen; and

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906.

GENERAL DEFICIENCY BILL.

Mr. LITTAUER. Mr. Speaker, I call up the bill H. R. 25851, the general deficiency bill, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole House on the state of the Union, as a matter of expedition.

Mr. BARTLETT. May I make an inquiry of the Chair?

The SPEAKER. Certainly.

Mr. BARTLETT. If that consent be granted, will we have the same opportunity of amendment and discussion under the five-minute rule as we would in the Committee of the Whole, or will it be in the power of the gentleman in charge of the bill to call the previous question at any time he sees fit?

The SPEAKER. The same points of order, the same methods of consideration as to amendment, if the consent be given, would run. Of course, one of the objects is to hasten its consideration. I apprehend the gentleman would have the bill read through for amendment.

Mr. LITTAUER. Certainly.

Mr. BARTLETT. I do not want to retard the consideration of the bill. I am perfectly willing to hasten proper legislation to conclude the session of Congress, but there may be on the part of the House some desire to amend this bill, and the gentleman could cut off all that by calling the previous question in the House, which he could not do in the Committee of the Whole.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Would it be in order to move the previous ques-